



FOOD LAW

PRODUCED BY:

THE JOINT FOOD SAFETY AND STANDARDS GROUP
(JFSSG)

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INDEX

| | | | |
|---------------------|---|---|-------|
| INTRODUCTION | | | |
| Part 1 | FOOD SAFETY ACT 1990 | | |
| | A | General | 2 |
| | B | Key Provisions | 2-3 |
| | C | Statutory Instruments (SIs) Implementing the Food Safety Act 1990 | 3-5 |
| | D | Codes of Practice | 5-6 |
| | E | Further Information on the Food Safety Act 1990 | 6 |
| Part 2 | THE LABELLING AND MARKING OF FOOD | | |
| | A | Food Labelling | 7-8 |
| | B | Declaration of Additives | 8-9 |
| | C | Lot Marking | 9 |
| | D | Wine Regulations | 9-10 |
| Part 3 | REGULATIONS ON THE COMPOSITION & LABELLING OF PARTICULAR FOODS | | |
| | A | Bread and Flour | 11 |
| | B | Caseins and Caseinates | 11-12 |
| | C | Cocoa and Chocolate Products | 12 |
| | D | Coffee and Coffee Products | 13 |
| | E | Condensed and Dried Milk | 13-14 |
| | F | Drinking Milk | 14 |
| | G | Drinking Water in Containers | 15 |
| | H | Erucic Acid in Food | 15 |
| | I | Flour - See Bread | |
| | J | Fruit Juices and Fruit Nectars | 15-16 |
| | K | Honey | 16-17 |
| | L | Infant Formula & Follow-on Formula | 17 |
| | M | Jam and Similar Products | 17-18 |
| | N | Meat Products and Spreadable Fish Products | 18 |
| | O | Milk and Milk Products | 19 |
| | P | Natural Mineral Waters | 19 |
| | Q | Quick Frozen Foods | 19-20 |
| | R | Slimming Foods | 20 |
| | S | Spreadable Fats | 20-21 |
| | T | Sugar | 21 |
| | U | Weaning Foods | 21-22 |
| | V | Revocations | 22 |
| Part 4 | REGULATIONS DEALING WITH THE CHEMICAL SAFETY OF FOOD | | |
| | A | Food Additives Labelling | 23 |
| | B | Aflatoxins | 23-24 |
| | C | Arsenic | 24 |
| | D | Chemical Contaminants | 24-25 |
| | E | Chloroform | 25 |
| | F | Colours | 25 |
| | G | Extraction Solvents | 25 |
| | H | Flavourings | 26 |
| | I | Food Contact Materials and Articles | 26-28 |
| | J | Lead | 28-29 |

| | | | |
|--|---|--|-------|
| | K | Mineral Hydrocarbons | 29 |
| | L | Miscellaneous Additives | 29-30 |
| | M | Pesticides | 30-31 |
| | N | Sweeteners | 31 |
| | O | Tetrachloroethylene | 31 |
| | P | Tin | 32 |
| | Q | Tryptophan | 32 |
| Part 5 EGGS & POULTRY | | | |
| | A | Egg Products | 33 |
| | B | Ungraded Eggs | 33 |
| | C | Eggs (Marketing Standards) | 33-34 |
| | D | Poultry Meat (Marketing Standards) | 34 |
| Part 6 OTHER LEGISLATION | | | |
| | A | Alcoholic Liquor Duties Act 1979 | 35 |
| | B | Bovine Spongiform Encephalopathy (BSE) | 35-39 |
| | C | Feedingstuffs | 39-41 |
| | D | Third Country Imports | 41-42 |
| | E | Salmonella in Poultry | 42-43 |
| Part 7 OTHER PRIMARY LEGISLATION PROVIDING REGULATIONS AFFECTING FOOD | | | |
| | A | European Communities Act 1972 | 44-45 |
| | B | Agriculture & Horticulture Act 1964 (Chapter 28 Part III) | 45-46 |
| Part 8 FOOD CONTROL | | | |
| | A | Official Control of Foodstuffs | 47 |
| | B | Additional Food Control Measures | 47 |
| | C | Food Control of Irradiation | 47-48 |
| Part 9 FOOD PROTECTION IN AN EMERGENCY | | | |
| | A | The Food & Environment Protection Act 1985 | 49 |
| | B | Radioactive Contamination of Foodstuffs & Feedingstuffs | 49 |
| | C | Radioactivity in Foodstuffs & Feedingstuffs Originating from Third Countries | 49-50 |
| Part 10 NOVEL FOODS/GENETICALLY MODIFIED ORGANISMS | | | |
| | A | Novel Foods | 51 |
| | B | Genetically Modified Organisms | 51-52 |
| Part 11 HEALTH & HYGIENE LEGISLATION | | | |
| | A | Fishery Products and Live Bivalve Molluscs | 53 |
| | B | Food Hygiene (General) | 53-54 |
| | C | Ice-Cream (Heat treatment) | 54-55 |
| | D | Meat Hygiene | 55-58 |
| | E | Milk & Milk Products | 58-60 |
| Part 12 MARKETING STANDARDS - DESCRIPTIONS & DESIGNATIONS | | | |
| | A | Eggs - Marketing Standards - see section 5C | |
| | B | Fresh Fruit & Vegetables - Marketing Standards - see section 7B | |
| | C | Olive Oil | 61 |
| | D | Organic Food | 61-62 |
| | E | Preserved Fish Products | 62 |
| | F | Protection of Food Names | 62-63 |
| | G | Spirit Drinks | 63-64 |

| | | | |
|---------|---|--|-------|
| | H | Other Legislation - Trade Descriptions Act, Consumer Protection Act and the Prices Act | 64-65 |
| Part 13 | | WEIGHTS & MEASURES LEGISLATION | 66-67 |

FOOD SAFETY +

N.B. The information contained in this document plus other important information about food safety and food related consumer protection (such as relevant Parliamentary debates and questions; committee reports on food safety; food surveillance reports and official information and advice) is available as full text electronic database on CD-ROM with full search, browse, print and save features. Annual subscription (£595 + VAT) includes quarterly updates and freephone help. For further information about this database contact: Michele Gallov on +44 (0)181 995 8242 or e-mail Michele_Gallov@silverplatter.com

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INTRODUCTION

In general the legislation listed in this guide applies only to England and Wales (unless otherwise stated). Similar legislation applies to Scotland and Northern Ireland. However, the Food Safety Act 1990, and new regulations made under it from 1990 onwards, apply to Great Britain unless it is otherwise stated.

Wherever possible this guide states which EC rules are implemented in our food law by the regulations listed on the following pages. The guide also provides contact details for further information at the end of each section. Alternatively enquiries can be made through the JFSSG Consumer Helpline on:

0345 573012 - your call will be charged to you at the local rate.

These notes are intended only as a general guide; for definitive information the appropriate Act, Order, Regulation or Code of Practice should be consulted.

Copies of the legislation referred to in this document may be obtained from The Stationery Office Publications Centre*, PO Box 276, LONDON SW8 5DT. Telephone orders may be placed by calling 0171-873-9090 or faxed on 0171-873-8200. For general enquiries please call 0171 873 0011.

Copies may also be obtained from The Stationery Office Bookshops listed below or through book sellers;

123 Kingsway, London WC2B 6PQ (Tel: 0171 242 6393)
71 Lothian Road, EDINBURGH EH3 9AZ (Tel: 0131 228 4181)
9-21 Princess Street, MANCHESTER M60 8AS (Tel: 0161 834 7201)
33 Wine Street, Wine Street, BRISTOL BS1 2BQ (Tel: 0117 926 4306)
68/69 Bull Street, BIRMINGHAM B4 6AD (Tel: 0121-236-9696)
The Stationery Office Oriel Bookshop, The Friary, CARDIFF CF1 4AA
(Tel: 01222-395548)
16 Arthur Street, BELFAST BT1 4GD (Tel: 01232-238451)

Note: Some of the regulations listed may not be available from The Stationery Office Bookshops because they are amending regulations which have been revoked. These regulations have been included only if their effects are still in force. However it may be possible to obtain copies of revoked legislation from good reference libraries.

This document is issued by:-

Food Standards Agency Division 1, JFSSG, Ministry of Agriculture, Fisheries and Food, Room 306c, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0345-573012 - calls will be charged at the local rate or Fax 0171-238-6330).

* Previously called Her Majesty's Stationery Office (HMSO)

PART 1: FOOD SAFETY ACT 1990 (CHAPTER 16)

A. GENERAL

The main provisions of the Food Safety Act 1990 came into force on 1 January 1991. The Act covers Great Britain and provides the framework for all its food legislation.

B. KEY PROVISIONS OF THE FOOD SAFETY ACT 1990

PART I: PRELIMINARY

Section 1 defines "food" and other basic expressions used in the Act such as "food business", "food premises" and "food source". **Section 2** extends the meaning of sale to include food supplied in the course of a business and **Section 3** sets out presumptions applying to food and food ingredients, for instance that food commonly used for human consumption found on certain food premises is presumed to be intended for sale.

PART II: MAIN PROVISIONS

Section 7 describes the offence of rendering food injurious to health and **Section 8** sets out the offence of selling or possessing for sale food that does not comply with food safety requirements. This is food that has been rendered injurious to health, which is unfit for human consumption or is so contaminated that it would not be reasonable to expect it to be used for human consumption. **Section 8** also states that if any part of a batch of food does not comply with food safety requirements the whole batch is presumed not to comply, unless the contrary is proved.

Section 14 makes it an offence to sell food which is not of the "nature or substance or quality" demanded by the purchaser and **Section 15** creates an offence of falsely describing, advertising or presenting food.

General Enforcement Provisions

Section 9 of the Food Safety Act gives enforcement officers powers to inspect any food intended for human consumption and to detain and seize food suspected of not complying with food safety requirements. It allows a Justice of the Peace to condemn food when he or she is satisfied that food safety requirements are not met. **Section 10** provides for improvement notices to be issued where food hygiene or food processing regulations have been contravened. **Section 11** provides for prohibition orders to be issued by the courts where there is a risk of injury to health and the proprietor of the food business has been convicted of an offence under food hygiene or food processing regulations. **Section 12** provides emergency prohibition powers for use by authorised officers where there is an imminent risk of injury to health. **Section 13** gives Ministers powers to make emergency control orders prohibiting commercial operations in relation to food, food sources or contact materials when there is an imminent risk of such food causing such injury to health.

Defences

Section 20 enables an enforcement authority to "by-pass" the immediate offender and to prosecute the real offender. **Section 21** provides for a defence if defendants can prove to a court that they took all reasonable precautions and exercised all due diligence to avoid committing an offence. The defendant is deemed to have satisfied this due diligence defence in certain circumstances. These deemed due diligence defences are not available to a defendant who manufactured or imported the food. **Section 22** contains a special defence for businesses which publish an advertisement in good faith.

PART III: ADMINISTRATION AND ENFORCEMENT

Section 32 sets out who may enter premises to enforce the Act and explains what they can do while on premises. It also makes unauthorised disclosure of information obtained when using such powers an offence. **Section 33** makes it an offence intentionally to obstruct a person enforcing the Act or to provide false or misleading information.

Section 34 provides time limits for prosecutions.

Penalties and Modes of Trial

Section 35 sets out the penalties for offences. For most offences a Crown Court may impose a prison sentence of up to two years and/or unlimited fines. Magistrates' Courts generally may impose a fine of up to £5,000 and a prison sentence of up to six months. For the most serious offences Magistrates' Courts may impose a maximum fine of £20,000. Magistrates' Courts may also impose penalties for obstructing an enforcement officer. In Scotland equivalent penalties may be imposed by the Sheriff.

Section 36 provides that someone in authority in a corporate body is liable for prosecution where they are proved to have acted negligently or consented to the alleged offence. **Sections 37 and 39** provide for appeals against decision of an enforcement authority to serve an improvement notice, and to refuse certificates under **Section 11(6) or 12(8)**. The appeal is to a Magistrates' Court or, in Scotland, to the Sheriff, and further appeals are available to the Crown Court for the cases referred to in **Section 38**.

Offences against regulations and mode of trial may be detailed in the individual regulations having effect under the Act. Penalties and modes of trial in individual regulations having effect under the Act have been altered by specific penalty Regulations. These are the Food (Revision of Penalties) Regulations 1982 and the Milk and Dairies (Revision of Penalties) Regulations 1982 which lay down the mode of trial and the Food (Revision of Penalties) Regulations 1985 and the Milk and Dairies (Revision of Penalties) Regulations 1985 which lay down the maximum fines for summary convictions for offences under the regulations. Existing regulations with offences and penalties have also been amended by Consequential Modifications Orders made under the Act (see pages 4 and 5).

PART IV: MISCELLANEOUS AND SUPPLEMENTAL

Section 54 provides for the Act to apply to the Crown and to Crown premises subject to special arrangements and certain exemptions. The Section came into effect on 1 April 1992. **Section 55** amends the Water Act 1989 to extend its controls on the quality of water used for domestic purposes to cover water used in food production.

C. STATUTORY INSTRUMENTS IMPLEMENTING THE FOOD SAFETY ACT 1990**SI Number**

| | |
|--------------|--|
| 1990 No 1383 | THE FOOD SAFETY ACT 1990 (COMMENCEMENT (C40) NO 1) ORDER 1990 brought into force new powers for Ministers to use in emergencies, with effect from 29 June 1990; |
| 1990 No 2372 | THE FOOD SAFETY ACT 1990 (COMMENCEMENT (C62) NO 2) ORDER 1990 brought into force the main provisions of the Act on 1 January 1991 and Section 54 which extends scope to the Crown with effect from 1 April 1992; |

| | | |
|------|---------|---|
| 1990 | No 2462 | THE FOOD SAFETY (ENFORCEMENT AUTHORITY) (ENGLAND AND WALES) ORDER 1990 sets out the division of responsibility for enforcement in the Shire Counties of England and Wales; |
| 1990 | No 2463 | THE FOOD (SAMPLING AND QUALIFICATIONS) REGULATIONS 1990 set out the procedures to be followed by enforcement officers when taking samples for analysis or microbiological examination. They also set out qualification requirements for Public Analysts and Food Examiners. These regulations apply to Great Britain; |
| 1990 | No 2486 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (ENGLAND AND WALES) ORDER 1990 brings existing regulations into line with the updated provisions in the Food Safety Act and provide for the continuation of milk and dairies legislation by amending regulations relating to milk so that provisions contained in the Food Act 1984 are now contained in those regulations; |
| 1990 | No 2487 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (NO 2) (GREAT BRITAIN) ORDER 1990 brings existing regulations into line with the updated provisions in the Food Safety Act; |
| 1990 | No 2614 | DETENTION OF FOOD (PRESCRIBED FORMS) REGULATIONS 1990 prescribe the forms of notice which may be issued in connection with the detention of food under Section 9 of the Act; |
| 1991 | No 100 | FOOD SAFETY (IMPROVEMENT AND PROHIBITION - PRESCRIBED FORMS) REGULATIONS 1991 set out the forms of notice which may be used in connection with the improvement notices under Section 10 of the Act, prohibition orders under Section 11 or emergency prohibition notices or orders under Section 12; |
| 1991 | No 2825 | THE FOOD PREMISES (REGISTRATION) REGULATIONS 1991 provide for the registration of food premises (including vehicles and other movable structures) by food authorities; |
| 1992 | No 57 | THE FOOD SAFETY ACT 1990 (COMMENCEMENT No. 3) ORDER 1992 brings into force Section 59(4) of the Food Safety Act 1990 which repeals the provisions of the Food Act 1984 about the registration of food handlers and food businesses; |
| 1992 | No 117 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (LOCAL ENACTMENTS) ORDER 1992 provides for the repeal or revocation of certain parts of local law which relate to the registration of food premises. These provisions are no longer necessary, as the Food Premises (Registration) Regulations 1991 have come into force; |
| 1992 | No 2766 | THE FOOD SAFETY ACT 1990 (CONSEQUENTIAL MODIFICATIONS) (LOCAL ENACTMENTS) (NO 2) ORDER 1992 further repeal or revocation of certain local law which relate to the registration of food premises; |

| | | |
|------|---------|--|
| 1993 | No 2022 | THE FOOD PREMISES (REGISTRATIONS) (AMENDMENT) REGULATIONS 1993 exempt childminders caring for no more than six children from the requirement to register their premises as a food business; |
| 1997 | No 723 | THE FOOD PREMISES (REGISTRATIONS) (AMENDMENT) REGULATIONS 1997 exempt people who prepare food at home for sale in WI Country Markets Ltd. from the requirement to register their premises as a food business. |

D. CODES OF PRACTICE FOR LOCAL AUTHORITIES

Codes of Practice issued under Section 40 of the Food Safety Act 1990 are not legislation, they are documents issued by Ministers for the guidance of food authorities, and the provisions can be enforced by direction and court order. These Codes of Practice apply to Great Britain.

Twenty Codes of Practice have been issued so far:-

| No. | Title |
|------------------|--|
| 1. | Responsibility for Enforcement of the Food Safety Act 1990 (ISBN 0-11-3213549). |
| 2. | Legal Matters (ISBN 0-11-321353-0). |
| 3. | Inspection Procedures - General (ISBN 0-11-321355-7). |
| 4. | Inspection, Detention and Seizure of Suspect Food (ISBN 0-11-321350-6). |
| 5. | The Use of Improvement Notices (Revised April 1994). (ISBN 0-11-321777-3). |
| 6. | Prohibition Procedures (ISBN 0-11-321349-2). |
| 7. | Sampling for Analysis or Examination (ISBN 0-11-321351-4). |
| 8 ^A . | Food Standards Inspections (Revised July 1996) |
| 9. | Food Hygiene Inspections (Revised September 1995) (ISBN 0-11-321931-8). |
| 9 ^B | Annex 1 of Food Hygiene Inspections (Revised August 1997) |
| 10. | Enforcement of Temperature Control Requirements of Food Hygiene Regulations. Enforcement of temperature monitoring and temperature measurement (revised February 1994) (ISBN 0-11-321465-0). |
| 11. | Enforcement of the Food Premises (Registration) Regulations (ISBN 0-11-3214782) |
| 12. | Quick Frozen Foodstuffs. Division of Enforcement Responsibilities; Enforcement of Temperature Monitoring and Temperature Measurement (Revised February 1994) ((ISBN 0-11-321793-5). |
| 13. | Enforcement of the Food Safety Act 1990 in relation to Crown Premises (ISBN 0-11-321500-2). |
| 14. | Enforcement of the Food Safety (Live Bivalve Molluscs and Other Shellfish) Regulations 1992 (ISBN 0-11-321695-5). |

15. Enforcement of the Food Safety (Fishery Products) Regulations 1992 (ISBN 0-11-321798-6).
- 16^B. Enforcement of the Food Safety Act 1990 in Relation to the Food Hazard Warning System (Revised August 1997) (ISBN 0-11-321583-5).
17. Enforcement of the Meat Products (Hygiene) Regulations 1994 (ISBN 0-11-321880-x).
18. Enforcement of the Dairy Products (Hygiene) Regulations 1995 (ISBN 0-11-321957-1)
- 19^A. Qualifications and Experience of authorised Officers and Experts
- 20^A. Exchange of Information between Member states of the EU on Routine Food Control Matters

The above Codes of Practice are available from The Stationery Office - see page 1

^A - Copies of these Codes of Practice only are available as follows:

In England and Scotland - The MAFF Library, Nobel House, 17 Smith Square, London SW1P 3JR. Telephone: 0171-238-6575. Cheques should be made payable to the Ministry of Agriculture, Fisheries and Food.

In Wales - The Library, Welsh Office, New Crown Buildings, Cathays Park, Cardiff CF1 3NO. Telephone: 01222-825449. Cheques should be made payable to the Welsh Office of Agriculture Department.

Copies of Code No. 19 are available free of charge from the above addresses, however, Codes 8 & 20 are priced as follows:

No. 8 (Revised) - £2.20

No. 20 - £1.18

A fixed charge of £1.50 will be charged for postage and packing. Copies of these Codes will only be sent out once payment has been received.

^B - Copies of these Codes of Practice only are available from:

Department of Health Distribution Centre, PO Box 410, Wetherby LS23 7LN. Fax 0990 210266

E. FURTHER INFORMATION ON THE FOOD SAFETY ACT 1990

A detailed booklet:

"THE FOOD SAFETY ACT AND YOU - A GUIDE" (PB 2507)

is available, free of charge, from:

FoodSense
Admail 6000
London
SW1A 2XX
Tel: 0645 556000

PART 2: FOOD LABELLING AND THE MARKING OF FOOD

A: FOOD LABELLING REGULATIONS

SI Number

1996 No 1499

THE FOOD LABELLING REGULATIONS 1996 - implement Council Directive 79/112/EEC (OJ No. L33 8.2.79) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (excluding the provisions relating to net quantity, and except in relation to certain additives), as now amended by Council Directive 85/7/EEC (OJ No. L2, 3.1.85), 86/197/EEC (OJ No. 144, 29.5.86) and 89/395/EEC (OJ No. L186, 30.6.89) and Commission Directives 91/72/EEC (OJ No. L42, 15.2.91) and 93/102/EEC (OJ No. L291);

They also implement Commission Directive 87/250/EEC (OJ No. L113, 30.4.87) on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer;

Council Directive 89/398/EEC (OJ No. L186, 30.6.89) on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses;

Council Directive 90/496/EEC (OJ No. L276, 6.10.90) on nutrition labelling for foodstuffs;

Commission Directive 94/54/EC (OJ No. L300, 23.11.94), as now amended by Council Directive 96/21/EC (OJ No. L88), concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Council Directive 79/112/EEC.

The Regulations, which apply to Great Britain, consolidate and replace the Food Labelling Regulations 1984, the Food Labelling (Scotland) Regulations 1984 and the Milk Labelling (Scotland) Regulations 1983. The principal provisions of the Regulations are that all food which is ready for delivery to the ultimate consumer or to a catering establishment, subject to certain exceptions, be marked or labelled with:

- (a) the name of the food;
- (b) a list of ingredients;
- (c) the appropriate durability indication, that is to say;

(i) in the case of a food other than one specified in subparagraph (ii) of this paragraph, an indication of minimum durability (a "best before" date);

(ii) in the case of food which, from the microbiological point of view is highly perishable and in consequence likely after a short period to constitute an immediate danger to health, a "use by" date;

- (d) any special storage conditions or conditions of use;
- (e) the name or business name and an address or registered office of the manufacturer or packer, or of a seller established within the European Community;

and in certain circumstances:

- (f) particulars of the place of origin of the food, if failure to give such particulars might mislead and;
- (g) instructions for use if it would be difficult to make appropriate use of the food in the absence of such instructions;

(NB - There are certain exemptions and additional requirements listed in the main regulations.)

There are less onerous rules for foods which are non-pre-packed or pre-packed for direct sale.

These Regulations also attach conditions to the use of claims for foods for particular nutritional uses, reduced or low energy value claims, protein claims, vitamin or mineral claims, cholesterol claims, other nutrient claims and claims dependant on other foods; they prohibit medicinal claims. They also lay down a prescribed format for the nutritional labelling of foodstuffs.

The Regulations are amended by:

1998 No 1398 The Food Labelling (Amendment) Regulations 1998

B: DECLARATION ON ADDITIVES

This note provides a general description of the requirements for additives used as ingredients in foods as required by the Food Labelling Regulations 1996.

1. Additives used as ingredients in pre-packed foods to perform certain functions must be declared in the labelling by the appropriate category name of the function. This must be followed by their specific name or serial number. The categories are:

| | |
|--------------------|-----------------------|
| Acid | Flour treatment agent |
| Acidity regulator | Gelling agent |
| Anti-caking agent | Glazing agent |
| Anti-foaming agent | Humectant |
| Antioxidant | Modified starch |
| Bulking agent | Preservative |
| Colour | Propellant gas |
| Emulsifier | Raising agent |
| Emulsifying Salts | Stabiliser |
| Firming agent | Sweetener |
| Flavour enhancer | Thickener |

2. Flavourings may be declared by either that name alone or by a more specific name.

3. In the case of acids, if the specific name includes the word "acid", the category name may be omitted.

4. In the case of modified starches, neither the specific name nor the serial number need be indicated.

5. If an additive serves more than one function in a food the category name which represents its principal function must be used to describe it. Where no category name is available for the function performed by an additive in a food, the additive must be declared in the ingredients list by its specific name. A serial number cannot be used on its own.

6. Non-prepacked foods and foods which are pre-packed on the premises where they are sold are exempt from the above requirements. Exceptions to this exemption are that any additive used in the food to perform the function of an antioxidant, artificial sweeteners, colour, flavour enhancer or preservative must be indicated next to the name of the food, or on a ticket or notice displayed in immediate proximity to the food using the category name. However, in the case of edible ices and flour confectionery there need only be an indication that these additives may be present on a notice displayed near the food.

C: LOT MARKING REGULATIONS

1996 No 1502 **THE FOOD (LOT MARKING) REGULATIONS 1996** - set out the lot marking requirements to be applied to all foodstuffs sold for human consumption (unless specifically exempted) including wines and spirits. These revoke and replace the Food (Lot Marking) Regulations 1992. They apply to Great Britain and came into force on 1 July 1996. Like the previous Regulations, these Regulations implement Council Directive 89/396/EEC (OJ No. L186, 30.6.89) on indications and marks identifying the lot to which a foodstuff belongs, as amended by Council Directives 91/238/EEC (OJ No. L107, 27.4.91) and 92/11/EEC (OJ No. L65, 11.3.92). The Directive establishes a framework for a common lot (or "batch") identification system throughout the Community in order to facilitate product recall along the whole of the food chain, for example where a product constitutes a health risk to consumers.

Note: Enquiries regarding food labelling legislation should be addressed to Ministry of Agriculture, Fisheries and Food, JFSSG, Food Labelling and Standards Division, Branch A, Room 325d, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6463).

D: WINE REGULATIONS

WINES: for the labelling of still wines and grape must (including restrictions on the use of the word 'wine') the following EEC Regulations apply:

(a) 2392/89 (OJ No. L232) - as amended by 3886/89 (OJ No. L378), 2356/91 (OJ No. L216), 3897/91 (OJ No. L368) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) and 1427/96 (OJ No. L184 including corrigendum OJ No. L233).

(b) 3201/90 (OJ No. L309) - as amended by Corrigendum (OJ No L28, 2 February 1991) 2384/91 (OJ No. L219), 3298/91 (OJ No. L312), 153/92 (OJ No. L17), 3650/92 (OJ No. L 369), 1847/93 (OJ No. L168), 1362/94 (OJ No. L150 including corrigendum OJ No. L268), and 2603/95 (OJ No. L267), 692/96 (OJ No. L97), 1056/96 (OJ No. L140), 609/97 (OJ No. L93) and 1472/97 (OJ No. L200) and 2543/97 (OJ No L347) and 847/98 (OJ No. L120) apply and should be consulted.

For the labelling of sparkling wines and aerated sparkling wines the following EC Regulations apply:

(a) 2333/92 (OJ No. L231) as amended by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) and 1429/96 (OJ No L184) and 1419/97 (OJ No L196).

b) 554/95 (OJ No. L56) as amended by 1915/96 (OJ No. L252) apply and should be consulted.

For the labelling of liqueur wines, semi-sparkling wines and aerated semi-sparkling wines the following EEC Regulations apply:

(a) 3895/91 (OJ No. L368)

(b) 3901/91 (OJ No. L368)

For the labelling of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails the following EEC Regulations apply:

(a) 1601/91 (OJ No. L149) as amended by 3279/92 (OJ No. L327) and by the Act of Accession of the Kingdom of Sweden, the Republic of Austria and the Republic of Finland (OJ No. C241) and 3378/94 (OJ No. L366) and 2061/96 (OJ No. L277) apply and should be consulted.

The Common Agricultural Policy (Wine) Regulations, 1996, SI 1996/ 696 - the "principal Regulations" (as amended by the Common Agricultural Policy (Wine) (Amendment) Regulations, 1998, SI 1998/453 provide for the enforcement of EC Regulations in the UK, concerned with the production and marketing of wine and related products.

Further information on wine legislation can be obtained from the Ministry of Agriculture, Fisheries and Food, Food and Drink Industry Division, Branch C, Room 201, Whitehall Place (East Block), London WC1A 2HH. (Telephone 0171-270-8137/8929; fax 0171 270 8733).

PART 3: REGULATIONS ON THE COMPOSITION AND LABELLING OF PARTICULAR FOODS

Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to Ministry of Agriculture, JFSSG, Fisheries & Food, Food Labelling and Standards Division, Branch B, Room 325, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR (Telephone 0171-238-6458).

A: BREAD AND FLOUR

SI Number

| | | |
|------|---------|--|
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 141 | THE BREAD AND FLOUR REGULATIONS 1998 - these Regulations revoke and replace the Bread and Flour Regulations 1995 and the Bread and Flour Regulations (Amendment) Regulations 1996. They specify requirements for the composition, labelling and advertising of bread and flour and restrict the use of specified ingredients in the preparation of flour and bread which may be used. These Regulations also prescribe the levels of nutrients required in flour. |

The Regulations are amended by:

| | | |
|------|---------|--|
| 1998 | No 1398 | The Food Labelling Regulations (Amendment) Regulations 1998. |
|------|---------|--|

Note: Enquiries regarding the Bread and Flour Regulations should be addressed to Ministry of Agriculture, Fisheries & Food, JFSSG, Food Labelling and Standards Division, Branch D, Room 317, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR (Telephone 0171-238-6168).

B: CASEINS AND CASEINATES

SI Number

| | | |
|------|---------|---|
| 1985 | No 2026 | THE CASEINS AND CASEINATES REGULATIONS 1985 - implement: Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption; first Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates. These Regulations prescribe reserved descriptions, composition and manufacturing characteristics for edible acid casein, edible rennet casein and edible caseinates. The Regulations impose requirements for the labelling of casein products additional to those in the Food Labelling Regulations 1984. The Regulations are amended by: |
| 1989 | No 2321 | The Caseins and Caseinates (Amendment) Regulations 1989 which implement first Commission Directive 86/424/EEC of 15 July 1986 laying down methods of sampling for chemical analysis of edible caseins and caseinates; |

| | | |
|------|---------|---|
| 1990 | No 2486 | The Food Safety Act (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

C: COCOA AND CHOCOLATE PRODUCTS

SI Number

| | | |
|-------------------|---------|---|
| 1976 ¹ | No 541 | THE COCOA AND CHOCOLATE PRODUCTS REGULATIONS 1976 - implement Council Directive 73/241/EEC on the approximation of the laws of the Member States relating to Cocoa and Chocolate products intended for human consumption as amended by Council Directives 74/411/EEC, 74/644/EEC and 75/155/EEC. The Regulations define cocoa and chocolate products and specify requirements for their composition, labelling and advertisement. This includes the application of reserved descriptions and the prohibition, with certain exceptions, of the use of those descriptions for other products. Control is also exercised over the extent to which other foodstuffs may be added. The Regulations are amended by: |
| 1980 | No 1833 | The Emulsifiers and Stabilisers in Food Regulations 1980; |
| 1980 | No 1849 | The Food Labelling Regulations 1980; |
| 1982 | No 17 | The Cocoa and Chocolate Products (Amendment) Regulations 1982 which implement Council Directives 78/609/EEC, and 80/608/EEC amending Directive 73/241; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3267 | The Food (Miscellaneous Revocations and Amendments) Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

D: COFFEE AND COFFEE PRODUCTSSI Number

| | | |
|-------|---------|---|
| 1978 | No 1420 | THE COFFEE AND COFFEE PRODUCTS REGULATIONS 1978 - implement Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts. The Regulations define and lay down compositional, labelling and advertising requirements for coffee, coffee mixtures, coffee extracts, chicory extracts, and blends, including the application of reserved descriptions and the prohibition of the use of those descriptions for other products. Control is also exercised over the use of added ingredients. The Regulations also lay down the prescribed Community methods of analysis for determining the caffeine and dry matter content in coffee and chicory extracts. These Regulations are amended by: |
| 1980 | No 1849 | The Food Labelling Regulations 1980; |
| 1982 | No 254 | The Coffee and Coffee Products (Amendment) Regulations 1982 implement First Commission Directive 79/1066/EEC of 13 November 1979 laying down Community methods of analysis for testing coffee extracts and Chicory extracts; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1987 | No 1986 | The Coffee and Coffee Products (Amendment) Regulations 1987 implement Council Directive 85/573/EEC of 19 December 1985 amending Directive 77/436/EEC on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

E: CONDENSED AND DRIED MILKSI Number

| | | |
|------|--------|---|
| 1977 | No 928 | THE CONDENSED MILK AND DRIED MILK REGULATIONS 1977 - implement Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating |
|------|--------|---|

to certain partly or wholly dehydrated preserved milk for human consumption.

These Regulations define condensed milk and dried milk products and specify requirements for their composition, labelling and advertisement, including the application of reserved descriptions and the prohibition of the use of those descriptions for other products.

The Regulations are amended by:

| | | |
|-------|---------|---|
| 1980 | No 1849 | The Food Labelling Regulations 1980 |
| 1982 | No 1066 | The Condensed Milk and Dried Milk (Amendment) Regulations 1982 which implement Council Directive 78/630/EEC of 19 June 1978 amending for the first time Directive 76/118/EEC and First Commission Directive 79/1067/EEC of 13 November 1979 laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1986 | No 2299 | The Condensed Milk and Dried Milk (Amendment) Regulations 1986 which implement Council Directive 83/635/EEC of 13 December 1983 amending for the second time Directive 76/118/EEC; |
| 1989 | No 1959 | The Condensed Milk and Dried Milk (Amendment) Regulations 1989 which implement First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

F: DRINKING MILK

SI Number

| | | |
|------|---------|--|
| 1998 | No 2424 | THE DRINKING MILK REGULATIONS 1998 - make provision for the enforcement and execution of EC Council Regulation 2597/97 on marketing and quality standards for drinking milk in Great Britain. |
|------|---------|--|

Note: Enquiries about drinking milk legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Milk, Pigs, Eggs & Poultry Division, Branch A, Room 501, 10 Whitehall Place (East Block), London SW1A 2HH. (Telephone 0171 270 8252; fax 0171 270 8116).

G: DRINKING WATER IN CONTAINERSSI Number

| | | |
|------|--------|--|
| 1994 | No 743 | THE DRINKING WATER IN CONTAINERS REGULATIONS 1994 - implement Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption in relation to water which is bottled or sold in a bottle. The Regulations specify quality standards for water sold in containers. They do not cover those waters officially recognised as natural mineral waters in accordance with the Natural Mineral Water Regulations 1985 and those waters with a product licence under the provisions of the Medicines Act 1968. |
|------|--------|--|

H: ERUCIC ACIDSI Number

| | | |
|-------|---------------------|---|
| 1977 | No 691 ¹ | THE ERUCIC ACID IN FOOD REGULATIONS 1977 - Erucic acid is a normal constituent of some foods and is neither an additive nor a contaminant. These Regulations restrict the erucic acid content of oil or fat and of food to which oil or fat has been added. These Regulations are amended by: |
| 1982 | No 264 ² | The Erucic Acid in Food (Amendment) Regulations 1982; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991. |

* See entry on penalties on page 3

¹ & ² These Regulations implement (respectively): Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils + fats; and Council Directive 80/891/EEC of 25 July 1980 on the Community method of analysis for determining the erucic acid content in oils and fats intended for human consumption and foodstuffs containing added oils or fats.

I: FLOUR - SEE BREAD**J: FRUIT JUICES AND NECTARS**SI Number

| | | |
|------|--------|---|
| 1977 | No 927 | THE FRUIT JUICES AND FRUIT NECTARS REGULATIONS 1977 (as amended) - implements Council Directive 93/77/EEC of 21 September 1993 relating to fruit juices and certain similar products. These Regulations define fruit juices and fruit nectars and specify requirements for composition, description, labelling and advertisement. Control is also exercised over the addition of other ingredients The Regulations are amended by: |
|------|--------|---|

| | | |
|-------|---------|---|
| 1979 | No 1254 | The Lead in Food Regulations 1979; |
| 1980 | No 1849 | The Food Labelling Regulations 1980; |
| 1982 | No 1311 | The Fruit Juices and Fruit Nectars (Amendment) Regulations 1982; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1284 | The Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1991; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 236 | The Fruit Juices and Fruit Nectars (England, Wales and Scotland) (Amendment) Regulations 1995 implement Commission Directive 93/45/EEC of 17 June 1993 concerning the manufacture of nectars without the addition of sugars or honey; |
| 1995 | No 3267 | The Food (Miscellaneous Revocations and Amendments) Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

K: HONEY

SI Number

| | | |
|-------|---------|--|
| 1976 | No 1832 | <p>THE HONEY REGULATIONS 1976 - implement Council Directive 74/409/EEC of 22 July 1974 on the harmonisation of the laws of Member States relating to honey.</p> <p>These Regulations lay down compositional requirements for the various types of honey; reserve the word "honey" and require it, amplified in certain cases by specified qualifications, to be applied to the product when traded; and specify how honey is to be labelled.</p> <p>The Regulations are amended by:</p> |
| 1980 | No 1849 | The Food Labelling Regulations 1980; |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |

| | | |
|------|---------|--|
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

L: INFANT FORMULA AND FOLLOW-ON FORMULA

SI Number

| | | |
|------|-------|--|
| 1995 | No 77 | THE INFANT FORMULA AND FOLLOW-ON FORMULA REGULATIONS 1995 - implement Commission Directive 91/321/EEC of 14 May 1991 (OJ No. L175, 4.7.91) on infant formula and follow-on formula. |
|------|-------|--|

These Regulations specify compositional requirements and place restrictions on the conditions for sale, labelling and packaging, advertising, promotion of and provision of information on infant and follow-on formulae. The Regulations also place controls on the export of infant formulae to third countries by implementing Council Directive 92/52/EEC of 18 June 1992 (OJ No. L179, 1.7.92) on infant formulae and follow-on formulae intended for export to third countries.

The Regulations are amended by:

| | | |
|------|--------|---|
| 1997 | No 451 | The Infant Formula and Follow-on Formula (Amendment) Regulations 1997 which implement Commission Directive 96/4/EC of 16 February 1996 (OJ No. L49, 28.2.96). |
|------|--------|---|

Note: Enquiries relating to infant formula and follow-on formula legislation should be addressed to Ministry of Agriculture, Fisheries & Food, JFSSG, Food Labelling and Standards Division, Branch A, Room 325, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR (Telephone 0171-238-6260).

M: JAM AND SIMILAR PRODUCTS

SI Number

| | | |
|------|---------|--|
| 1981 | No 1063 | THE JAM AND SIMILAR PRODUCTS REGULATIONS 1981 - implement Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée. |
|------|---------|--|

These Regulations specify compositional and labelling requirements for jams, jellies, marmalade, mincemeat, fruit curd and chestnut puree, including jams and jellies containing extra fruit and a range of products with reduced sugar content. Control is exercised over the use of additional ingredients.

The Regulations are amended by:

| | | |
|-------|---------|---|
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |

| | | |
|------|---------|---|
| 1989 | No 533 | The Preservatives in Food Regulations 1989; |
| 1990 | No 2085 | The Jam and Similar Products (Amendment) Regulations 1990 implement Council Directive 88/593/EEC of 18 November 1988 amending Directive 79/693/EEC; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3123 | The Sweeteners in Food Regulations 1995; |
| 1995 | No 3124 | The Colours in Food Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

* See entry on penalties on page 3

N: MEAT PRODUCTS AND SPREADABLE FISH PRODUCTS

SI Number

| | | |
|------|---------|--|
| 1984 | No 1566 | THE MEAT PRODUCTS AND SPREADABLE FISH PRODUCTS REGULATIONS 1984 - implements no EC Directive. Specifies requirements for the composition of certain products and the labelling and description for all meat products and spreadable fish products. The Regulations are amended by: |
| 1985 | No 67 | The Food (Revision of Penalties) Regulations 1985; |
| 1986 | No 987 | The Meat Products and Spreadable Fish Products (Amendment) Regulations 1986; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 2596 | The Food (Forces Exemptions) (Revocations) Regulations 1992; |
| 1995 | No 3123 | The Sweeteners in Food Regulations 1995; |
| 1995 | No 3124 | The Colours in Food Regulations 1995; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

O: MILK AND MILK PRODUCTS

SI Number

| | | |
|------|---------|---|
| 1990 | No 607 | THE MILK AND MILK PRODUCTS (PROTECTION OF DESIGNATIONS) REGULATIONS 1990 - make provision for the enforcement of Council Regulation (EEC) No 1898/87 of 2 July 1987 and Commission Decision 88/566/EEC of 28 October 1988 (listing the products referred to in Article 3(1) of Regulation 1898/87) which defines dairy names to be protected and prohibits their use for products other than those defined in the Regulation as milk or milk products. There are certain exemptions for a number of products where the "dairy" reference is clearly understood not to imply that the product is a dairy product (e.g. cream sherry, butter beans). |
| | | The Regulations are amended by: |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1995 | No 3267 | The Food (Miscellaneous Revocations and Amendments) Regulations 1995; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

P: NATURAL MINERAL WATERS

SI Number

| | | |
|------|---------|--|
| 1985 | No 71 | THE NATURAL MINERAL WATERS REGULATIONS 1985 - implements Council Directive 80/777/EEC on the approximation of the laws of Member States relating to the exploitation and marketing of natural mineral waters. |
| | | These Regulations define and protect the designation of "natural mineral water" by requiring such water to be officially recognised by a responsible authority; prescribe conditions for the exploitation of the water at source and for marketing; and specify the composition and controls for the labelling and advertisement of "natural mineral water". |
| | | The Regulations are amended by: |
| 1990 | No 2487 | The Food Safety Act 1990 (Consequential Modifications) (No. 2) (Great Britain) Order 1990; |
| 1996 | No 1499 | The Food Labelling Regulations 1996. |
| 1998 | No 1398 | The Food Labelling (Amendment) Regulations 1998. |

Q: QUICK-FROZEN FOODS

SI Number

| | | |
|------|---------|---|
| 1990 | No 2615 | QUICK-FROZEN FOODSTUFFS REGULATIONS 1990 - implement Council Directive 89/108/EEC of 21 December 1988 on |
|------|---------|---|

the approximation of Member State laws relating to quick-frozen foodstuffs for human consumption.

These Regulations set out conditions for the packing, labelling and temperature controls during manufacture to retail sale, of quick-frozen foodstuffs other than ice cream.

The Regulations are as amended by:

1992 No 2596 The Food (Forces Exemptions) (Revocations) Regulations 1992;

1994 No 298 The Quick-Frozen Foodstuffs (Amendment) Regulation 1994 - implement Commission Directives:

92/1/EEC of 13 January 1992 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption;

92/2/EEC also of 13 January 1992 laying down the sampling procedure and the Community analysis for the official control of quick-frozen foods intended for human consumption.

R: SLIMMING FOODS

SI Number

1997 No 2182 **THE FOODS INTENDED FOR USE IN ENERGY RESTRICTED DIETS FOR WEIGHT REDUCTION REGULATIONS 1997** - implement Commission Directive 96/8/EC of 26 February 1996 (OJ No. L55, 6.3.96) on foods intended for use in energy-restricted diets for weight reduction.

These Regulations introduce specific labelling and compositional controls and place restrictions on the advertising of slimming foods (individual meal replacements and daily dietary replacements). The Regulations come into force on 31 March 1999 after which time it will be an offence to sell, label or manufacture a slimming food which does not comply with the Regulations.

***Note:** Enquiries relating to slimming food legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Labelling and Standards Division, Branch A, Room 325d, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171 238 6260)*

S: SPREADABLE FATS

SI Number

1995 No 3116 **THE SPREADABLE FATS (MARKETING STANDARDS) REGULATIONS 1995** - these Regulations enforce Council Regulation 2991/94, which lays down compositional, labelling and marketing standards for spreadable fats (butter, margarine, mixtures and reduced fat spreads).

The Regulations revoke the Butter Regulations 1966 and the Margarine Regulations 1967, but retain the fortification requirements for vitamins A and D in margarine.

1998 No 452

THE SPREADABLE FATS (MARKETING STANDARDS)

(AMENDMENT) REGULATIONS 1998 - Implement detailed rules on the application of Council Regulations 2991/94 and 1898/87 which are laid down in Commission Regulation (EC) No. 577/97, amended by Regulations 1278/97 and 2181/97.

T: SUGARSI Number

1976 No 509

THE SPECIFIED SUGAR PRODUCTS REGULATIONS 1976 -

implement Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugar intended for human consumption.

These Regulations define and control the composition and labelling of a number of sugars, each of which is given a reserved name. They also lay down Community methods of analysis for testing certain sugars intended for human consumption.

The Regulations are amended by:

1980 No 1849

The Food Labelling Regulations 1980;

1982 No 255

The Specified Sugar Products (Amendment) Regulations 1982 implement First Commission Directive 79/786/EEC of 26 July 1979 laying down Community methods of analysis for testing certain sugars intended for human consumption;

1982* No 1727

The Food (Revision of Penalties) Regulations 1982;

1985* No 67

The Food (Revision of Penalties) Regulations 1985 (Category 1);

1990 No 2486

The Food Safety Act (Consequential Modifications) (England and Wales) Order 1990;

1991 No 1476

The Food Safety (Exports) Regulations 1991;

1992 No 2596

The Food (Forces Exemptions) (Revocations) Regulations 1992;

1995 No 3124

The Colours in Food Regulations 1995;

1995 No 3187

The Miscellaneous Food Additives Regulations 1995;

1996 No 1499

The Food Labelling Regulations 1996.

1998 No 1398

The Food Labelling (Amendment) Regulations 1998.

* See entry on penalties on page 3

U: WEANING FOODSSI Number

1997 No 2042

THE PROCESSED CEREAL-BASED FOODS AND BABY FOODS FOR INFANTS AND YOUNG CHILDREN REGULATIONS 1997 - implement Commission Directive 96/5/EC of 16 February 1996 (OJ

No. L49, 28.2.96) on processed cereal-based foods and baby foods for infant and young children.

These Regulations introduce specific labelling and compositional controls on processed cereal-based foods and other baby foods. The Regulations come into force on 31 March 1999 after which time it will be an offence to sell, label or manufacture a baby food which does not comply with the Regulations.

Note: *Enquiries relating to weaning foods legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Labelling and Standards Division, Branch A, Room 325d, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171 238 6260)*

V: REVOCATIONS

SI Number

- | | |
|--------------|---|
| 1991 No 1231 | <p>THE FOOD (MISCELLANEOUS REVOCATIONS) REGULATIONS 1991 - revokes Orders which prescribed compositional standards for mustard, self-raising flour, curry powder, tomato ketchup and suet. Those foods were required to comply with prescribed standards by virtue of article 1 of the Food Standards (General Provisions) Order 1944. These Regulations also revoke:</p> <p>the Public Health (Imported Milk) Regulations 1926, which required imported milk to comply with certain hygiene requirements;</p> <p>Salad Cream Regulations 1966 and the Salad Cream (Scotland) Regulations 1966, which prescribed compositional requirements for salad cream.</p> |
| 1995 No 3267 | <p>THE FOOD (MISCELLANEOUS REVOCATIONS AND AMENDMENTS) REGULATIONS 1995 - these Regulations revoke the following Regulations in England and Wales:</p> <p>the Soft Drinks Regulations 1964;</p> <p>the Ice Cream Regulations 1967;</p> <p>the Skimmed Milk with Non-Milk Fat Regulations 1960;</p> <p>the Food Standards (Fish Cakes) Order 1950;</p> <p>the Food Standards (General Provisions) Order 1944;</p> <p>the Potassium Bromate (Prohibition as a Flour Improver) Regulations 1990.</p> <p>The Regulations also revoke the parallel regulations for Scotland. In addition the Regulations amend the Food Labelling Regulations 1984, removing certain controls while retaining definitions and compositional requirements for ice cream and dairy ice cream; specifying requirements for the use of the words "low calorie" in relation to soft drinks and "tonic" in relation to "Indian tonic water"; and include the requirement that skimmed milk with non milk fat should be labelled as unfit for feeding to babies.</p> |

PART 4: REGULATIONS DEALING WITH THE CHEMICAL SAFETY OF FOOD

Note: Enquiries regarding the legislation in this part should, unless otherwise stated, be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Additives and Novel Foods Division, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238- 6267 - sweeteners, flavourings and chloroform; or 6262 - other additives).

For enquiries on legislation where a contact is not given, please ring the JFSSG Consumer Helpline on 0345 573012 who will be able to give you a contact.

A: FOOD ADDITIVES LABELLING

SI Number

1992 No 1978 THE FOOD ADDITIVES LABELLING REGULATIONS 1992 - implement certain provisions in Council Directive 89/107/EEC (OJ No. L40, 11.2.89, p.27) on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption. These Regulations define food additives and lay down labelling requirements at retail and wholesale level for additives sold as such.

The Regulations are amended by:

- 1995 No 3123 The Sweeteners in Food Regulations 1995;
- 1995 No 3124 The Colours in Food Regulations 1995;
- 1995 No 3187 The Miscellaneous Food Additives Regulations 1995.

B: AFLATOXINS

SI Number

1992 No 3236 AFLATOXINS IN NUTS, NUT PRODUCTS, DRIED FIGS AND DRIED FIG PRODUCTS REGULATIONS 1992 - prohibit the import from non-EC countries of these products except through a designated place of entry. The import must be in accordance with the sample/analysis procedure specified. Import is prohibited for products which have a level of aflatoxins over 4 micrograms per kilogram, unless products are to be further processed in which case a level of 10 micrograms per kilogram applies on import.

Products at retail sale must comply with a maximum limit of 4 micrograms per kilogram.

Commission Regulation No 1525/98 setting harmonised maximum limits for certain foodstuffs will apply from 1 January 1999. This Regulation sets maximum limits for aflatoxin B₁ in addition to total aflatoxins. Maximum limits are also laid down for cereals, dried fruits and milk in addition to the products covered by the existing UK legislation. Higher limits are allowed for nuts, groundnuts and dried fruit which are to be subject to further processing. The associated Commission Directive 98/53/EC lays down sampling methods and methods of analysis and must be implemented by 31 December 2000. An amendment will be made to The Contaminants in Food Regulations 1997 [S.I. No. 1499] in order to make provision

for the enforcement and execution of this legislation. Further details can be obtained from the contact address below.

Note: Enquiries regarding aflatoxins legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contaminants Division, Branch A, Ergon House, c/o 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6483).

C: ARSENIC

SI Number

| | | |
|-------|---------|---|
| 1959 | No 831 | THE ARSENIC IN FOOD REGULATIONS 1959 - lay down a general limit of 1 milligram per kilogram for arsenic in food. [NB - the schedule to the Regulations gives details of foods to which a separate limit applies]. The Regulations are amended by: |
| 1960 | No 2261 | The Arsenic in Food (Amendment) Regulations 1960; |
| 1973 | No 1052 | The Arsenic in Food (Amendment) Regulations 1973 |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 1971 | The Flavouring in Food Regulations 1992; |
| 1995 | No 3202 | The Bread and Flour Regulations 1995; |

* See entry on penalties on page 3

Note: Enquiries regarding this Regulation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contaminants Division, Branch B, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238- 6337).

D: CHEMICAL CONTAMINANTS

SI Number

| | | |
|------|---------|---|
| 1997 | No 1499 | THE CONTAMINANTS IN FOOD REGULATIONS 1997 - make provision for the enforcement and execution of Commission Regulation (EC) No 194/97 (OJ No L31, 1.2.97), which sets maximum levels for nitrate in lettuce and spinach. They also provide for the operation of the optional derogation contained in the Commission Regulation. This exempts crops grown for the domestic market, from the limits for a transitional period provided that growers follow codes of Good Agricultural Practice and that levels of nitrate in these vegetables do not pose a risk to consumers' health. |
|------|---------|---|

Note: Enquiries regarding Section D should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contaminants Division, Branch B,

Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6337).

E: CHLOROFORM

SI Number

| | | |
|-------|---------|--|
| 1980 | No 36 | THE CHLOROFORM IN FOOD REGULATIONS 1980 - make it an offence to sell or import food containing added chloroform. |
| | | The Regulations are amended by: |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991. |

* See entry on penalties on page 3

F: COLOURS

SI Number

| | | |
|------|---------|--|
| 1995 | No 3124 | THE COLOURS IN FOOD REGULATIONS 1995 - implement European Parliament and Council Directive 94/36/EC (OJ No. L237, 10.9.94) on colours for use in foodstuffs and Commission Directive 95/45/EC (OJ No. L226, 22.9.95) laying down specific criteria of purity concerning colours for use in foodstuffs. They define "food additive" and "colour"; list the permitted colours and, by cross-reference, the purity criteria with which they must comply; set down conditions of use for colours in food; control the sale of colours direct to the public and prohibit the sale and use of colours and the sale of food containing colours, which do not comply with these provisions. |
|------|---------|--|

G: EXTRACTION SOLVENTS

SI Number

| | | |
|------|---------|--|
| 1993 | No 1658 | THE EXTRACTION SOLVENTS IN FOOD REGULATIONS 1993 - implement the provisions of Council Directive 88/344/EEC (OJ No. L157, 24.6.88) as amended by Council Directive 92/115/EEC (OJ No. L409, 31.12.92) on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients. They lay down a list of permitted extraction solvents and in certain cases, restricted conditions of use. The Regulations lay down specifications of purity and prescribe labelling requirements for extraction solvents. |
| | | The Regulations are amended by: |
| 1995 | No 1440 | The Extraction Solvents in Food (Amendment) Regulations 1995 - which implement European Parliament and Council Directive 94/52/EC (OJ No. L331, 21.12.94). |

H: FLAVOURINGSSI Number

1992 No 1971 **THE FLAVOURINGS IN FOOD REGULATIONS 1992** - implement certain provisions in Council Directive 88/388/EEC (OJ No. L184, 15.7.88) on the approximation on the laws of Member States relating to flavourings for use in foodstuffs and to source materials for their production, as amended by Commission Directive 91/71/EEC (OJ No. L42, 15.2.91).

These regulations define categories of flavourings to be controlled; lay down limits for certain undesirable substances which are present in some flavourings and should therefore be restricted; prohibit the sale or importation of food having in it or on it any flavouring which is not a permitted flavouring (i.e. does not comply with the general provisions) and set down labelling requirements for business and consumer sales of flavourings sold as such.

The Regulations are amended by:

1994 No 1486 The Flavourings in Food (Amendment) Regulations 1994.

I: FOOD CONTACT MATERIALS AND ARTICLES

Note: An Explanatory Note on the food contact materials and articles legislation is available from the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contact Materials Unit, Additives and Novel Foods Division, Branch B, Room 216, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6528; fax 0171 238 6124).

Note: The Materials and Articles in Contact with Food Regulations 1987 and the Plastic Materials and Articles in Contact with Food Regulations 1998 cover Great Britain only. Northern Ireland has separate, but similar, provisions, and any enquiries should be addressed to the Health Protection Branch, Department of Health and Social Services Northern Ireland (DHSS NI), Annexe 4, Castle Buildings, Stormont, Belfast BT4 3RA. (Telephone 01232 522333).

SI Number

1987 No 1523 **THE MATERIALS AND ARTICLES IN CONTACT WITH FOOD REGULATIONS 1987** - re-enact the Materials and Articles in Contact with Food Regulations 1978, as amended; and implement Council Directive 83/229/EEC (OJ L123, 11.5.83), as amended by Commission Directive 86/388/EEC (OJ L128, 14.8.86).

These Regulations:

- set out the general requirement that all food contact materials and articles should not transfer their constituents to food in quantities which could endanger human health or make the food otherwise unacceptable to consumers;
- lay down requirements for labelling materials and articles as suitable for food contact use;
- restrict the use of vinyl chloride monomer (VCM) in the manufacture of food contact plastics, by setting a residual limit of 1 milligram VCM

per kilogram of material or article and a migration limit of 0.01 milligrams VCM per kilogram of food, and laying down the laboratory methods for testing compliance with these restrictions; and

- place controls on food contact Regenerated Cellulose Film (RCF), by establishing a "positive list" of substances that can be used in the manufacture of coated and uncoated RCF, and setting migration limits for some substances.

The 1978 regulations implemented the framework Council Directive 76/893/EEC, which was replaced by Council Directive 89/109/EEC (OJ L 40 of 11.2.89). The 1987 regulations, which re-enact the 1978 regulations, did not require amendment to implement 89/109/EEC.

The Regulations are amended by:

- | | |
|--------------|--|
| 1990 No 2487 | The Food Safety Act 1990 (Consequential Modifications) (No. 2) (Great Britain) Order 1990; |
| 1991 No 1476 | The Food Safety (Exports) Regulations 1991, which implement Articles 2 and 3 of Council Directive 89/397/EEC (OJ No L186, 30.6.89); and |
| 1994 No 979 | The Materials and Articles in Contact with Food (Amendment) Regulations 1994, which implement Commission Directive 93/10/EEC (OJ L94, 17.4.93), as amended by Commission Directive 93/111/EEC (OJ L310, 14.12.93) and Commission Directive 92/15/EEC (OJ L102, 16.4.92) amending Council Directive 83/229/EEC (OJ L123, 11.5.83). |
| 1998 No 1376 | <p>THE PLASTIC MATERIALS AND ARTICLES IN CONTACT WITH FOOD REGULATIONS 1998 - implement Commission Directive 97/48/EC (OJ L222, 12.8.97), the second amendment to Council Directive 82/711/EEC, and revoke and replace the following regulations:</p> <ul style="list-style-type: none"> • SI 1992 No 3145, The Plastic Materials and Articles in Contact with Food Regulations 1992, which implemented Commission Directive 90/128/EEC (OJ L349, 13.2.90), as amended by Commission Directive 92/39/EEC (OJ L168, 23.6.92) - the first amendment to 90/128/EEC - as read with Council Directives 82/711/EEC (OJ L297, 23.10.82) and 85/572/EEC (OJ L372, 30.12.95); • SI 1995 No 360, The Plastic Materials and Articles in Contact with Food (Amendment) Regulations 1995, which implemented Commission Directive 93/8/EEC (OJ L90, 14.4.93) - the first amendment to 82/711/EEC - and Commission Directive 93/9/EEC (OJ L90, 14.4.93) - the second amendment to 90/128/EEC; • SI 1996 No 694, The Plastic Materials and Articles in Contact with Food (Amendment) Regulations 1996, which implemented Commission Directive 95/3/EEC (OJ L41, 23.2.95) - the third amendment 90/128/EEC; and • SI 1996 No 2817, The Plastic Materials and Articles in Contact with Food (Amendment) (No. 2) Regulations 1996, which implemented Commission Directive 96/11/EC (OJ L61, 12.3.96) - the fourth amendment to 90/128/EEC. |

The 1998 Regulations:

- set an overall migration limit for all food contact plastics of 10 milligrams per square decimetre of plastic surface area, in general, or 60 milligrams per kilogram of food, specifically for containers (or similar receptacles) with a capacity of from 0.5 to 10 litres, or which have a contact area that cannot be determined, and for sealing devices, such as caps, gaskets and stoppers;
- establish "positive lists" of monomers and starting substances permitted for use in the manufacture of food contact plastics. Many of the substances have a time limit on their use. Some of the substances have specific migration limits. The Regulations also establish an "incomplete list" of additives approved by the EC's Scientific Committee for Food for use in food contact plastics; and
- lay down the basic rules necessary, including test times, temperatures and simulants, for testing migration from food contact plastics, and thereby for checking compliance with the requirements of the Regulations.

1972 No 1957 **THE COOKING UTENSILS (SAFETY) REGULATIONS 1972** - these Regulations (which do not implement EC legislation) restrict the lead content of tin or other metallic coatings on kitchen utensils.

1988 No 1647 **THE CERAMIC WARE (SAFETY) REGULATIONS 1988** - implement Council Directive 84/500/EEC (OJ L277, 20.10.84). These Regulations require compliance with British Standard 6748:1986, which sets limits for the migration of lead and cadmium from ceramic articles.

Note: Enquiries about the Cooking Utensils and Ceramic Ware Regulations (SI 1972 No. 1957 and SI 1988 No. 1647) should be addressed to the Consumer Safety Unit, Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, 4.G.6, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0362).

1995 No 1012 **THE N-NITROSAMINES AND N-NITROSATABLE SUBSTANCES IN ELASTOMER OR RUBBER TEATS AND DUMMIES (SAFETY) REGULATIONS 1995** - implement Commission Directive 93/11/EEC (OJ No. L93, 17.4.93). These Regulations restrict the amount of release of N-nitrosamines and N-nitrosatable substances in the rubber of babies' teats and dummies.

Note: Enquiries about the Rubber Teats and Dummies Regulations (SI 1995 No. 1012) should be addressed to the Consumer Safety Unit, Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, 4.H.2, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0361).

J: LEAD

SI Number

1979 No 1254 **THE LEAD IN FOOD REGULATIONS 1979** - lay down a general limit of 1 milligram per kilogram for lead in food.

[NB - the schedule to the Regulations gives details of those foods for which a separate limit applies].

The Regulations are amended by:

| | | |
|-------|---------|---|
| 1985 | No 912 | The Lead in Food (Amendment) Regulations |
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England & Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1992 | No 1971 | Flavourings in Food Regulations 1992; |
| 1995 | No 3124 | The Colours in Food Regulations 1995 [minor amendment to revoke reference to SI 1973/1340]; |
| 1995 | No 3267 | The Food (Miscellaneous Revocations and Amendment) Regulations 1995. |

Note: Enquiries regarding this Regulation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contaminants Division, Branch B, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238- 6337).

K: MINERAL HYDROCARBONS

SI Number

| | | |
|------|---------|--|
| 1966 | No 1073 | THE MINERAL HYDROCARBONS IN FOOD REGULATIONS 1966 - prohibit (subject to certain exceptions relating to lubricants, chewing compounds and the rind of cheese and permitted miscellaneous additives) hydrocarbons in the composition or preparation of food; lay down specifications for mineral hydrocarbon and a test for the presence of polycyclic hydrocarbon. |
|------|---------|--|

The Regulations are amended by:

| | | |
|-------|---------|--|
| 1982* | No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* | No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 1); |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1991 | No 1476 | The Food Safety (Exports) Regulations 1991; |
| 1995 | No 3187 | The Miscellaneous Food Additives Regulations 1995. |

* See entry on penalties on page 3

L: MISCELLANEOUS ADDITIVES

SI Number

| | | |
|------|---------|---|
| 1995 | No 3187 | THE MISCELLANEOUS FOOD ADDITIVES REGULATIONS 1995 - implement European Parliament and Council Directive 95/2/EC (OJ No. L61, 18.3.95) on food additives other than colours and sweeteners ("miscellaneous additives"), together with |
|------|---------|---|

various directives governing purity criteria. They define each class of miscellaneous food additives and list those which are permitted; specify the purity criteria with which they must comply; set conditions on their use; control their sale direct to the public; and prohibit the sale and use of miscellaneous additives and the sale of food containing them, which do not comply with these provisions.

- 1997 No 1413 The Miscellaneous Additives (Amendment) Regulations 1997 - implement EC Directives 96/85/EC (OJ No. L86, 19.12.96) amending Directive 95/2/EC on food additives other than colours and sweeteners, and 96/77/EC (OJ No. L339, 2.12.96) laying down specific purity criteria on food additives other than colours and sweeteners. The Regulations also amend the 1995 Regulations to authorise a variation to the existing 2 year national authorisation to permit propane, butane and iso-butane to be used in water based emulsion sprays until December 1997. In addition, they amend the fruit Juices and Nectars 1977 to reflect an EC prohibition on the simultaneous use of added acids and added sugar in fruit juices and make two minor amendments to bring the text of the 1995 Regulations more closely in line with the wording used in Directive 95/2/EC.

M: PESTICIDES

SI Number

- 1994 No 1985 **THE PESTICIDES (MAXIMUM RESIDUE LEVELS IN CROPS, FOOD AND FEEDING STUFFS) REGULATION 1994** - implement the provisions of Council Directives:
- 90/642/EEC (OJ L350, 14.12.90), 93/57/EEC (OJ L211, 23.8.93) and 93/58/EEC (OJ L211, 23.8.93) setting maximum residue levels (MRLs) for fruit and vegetables, cereals and animal products. They also introduce some national MRLs pending the adoption of Community provisions;
- 1995 No 1483 The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) Regulations 1995 implement EC Directives 94/29/EC (OJ L189, 23.7.94) and 94/30/EC (L189, 23.7.94) setting further MRLs for fruit and vegetables, cereals and animal products.
- 1996 No 1487 The Pesticides (Maximum Residue Levels in Crops, Food and Feedingstuffs) (Amendment) Regulations 1996 implement EC Directives 95/38/EC (L197, 22.8.95), and 95/39/EC (OJ L197, 22.8.95) setting further MRLs for fruit and vegetables, cereals and animal products. They also implement Directive 95/61/EC (OJ L292, 7.12.95) by establishing MRLs for certain "open positions" set in Directive 93/58/EC.
- 1997 No 567 The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) Regulations 1997 implement EC Directives 96/32/EC (OJ No. L144, 18.6.96)) and 96/33/EC (OJ No. L144, 18.6.96) setting further MRLs for fruit and vegetables, cereals and animal products.

Note: Enquiries on pesticides legislation should be addressed to Pesticides Safety Directorate, Mallard House, Kings Pool, 3 Peasholme Green, York, YO1 2PX. (Telephone 01904- 455 751).

N: SWEETENERS

SI Number

1995 No 3123 **THE SWEETENERS IN FOOD REGULATIONS 1995** - implement European Parliament and Council Directive 94/35/EC (OJ No. L237, 10.9.94) on sweeteners for use in foodstuffs and Commission Directive 95/31/EC (OJ No. L178, 28.7.95) laying down specific criteria concerning sweeteners for use in foodstuffs. They define "food additive" and "sweetener"; list the permitted sweeteners and, by cross-reference, the purity criteria with which they must comply; set down conditions of use for sweeteners in food; control the sale of sweeteners direct to the public (table top sweeteners) and specify additional labelling requirements for these products; and prohibit the sale and use of sweeteners and the sale of food containing sweeteners, which do not comply with these provisions.

The Regulations are amended by:

1996 No 1477 The Sweeteners in Food (Amendment) Regulations 1996;

1997 No 814 The Sweeteners in Food (Amendment) Regulations 1997 - implement EC Directive 96/83/EC (OJ No. L48, 19.2.97) amending Directive 94/35/EC on sweeteners for use in foodstuffs. The Regulations extend the use of sweeteners to certain additional categories of food and add certain technical provisions to bring the 1995 Regulations into line with two other GB Regulations on Colours and Miscellaneous Additives. They also amend the title of the food category "vitamins and dietary preparations" to reflect more closely the needs of the market.

O: TETRACHLOROETHYLENE

SI Number

1989 No 910 **THE TETRACHLOROETHYLENE IN OLIVE OIL REGULATIONS 1989** - make provision for the enforcement of Article 1 of Commission Regulation (EEC) No 1860/88 (OJ No. L166, 1.7.88) which provides that olive oils and olive-pomace oils with tetrachloroethylene content of more than 0.1 milligram per kilogram may not be offered for retail sale.

The Regulations are amended by:

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990;

1991 No 1476 The Food Safety (Exports) Regulations 1991.

P: TIN

SI Number

1992 No 496 THE TIN IN FOOD REGULATIONS 1992 - prohibit for sale or import any food containing a level of tin exceeding 200 milligrams per kilogram.

Note: Enquiries regarding sections O and P should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Contaminants Division, Branch B, Ergon House, c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238- 6337).

Q: TRYPTOPHAN

SI Number

1990 No 1728 THE TRYPTOPHAN IN FOOD REGULATIONS 1990 - prohibit the addition of tryptophan (an amino acid) to food intended for human consumption, and its consequent sale or supply.

The Regulations are amended by:

1990 No 2486 The Food Safety Act 1990 (Consequential Modifications) (England & Wales) Order 1990;

1991 No 1476 The Food Safety (Exports) Regulations 1991

Note: Enquiries on tryptophan legislation should be addressed to the Department of Health, JFSSG, Room 652c, Skipton House, 80 London Road, London SE1 6LH. (Telephone 0171-972-5018).

PART 5: EGGS & POULTRY

A: EGG PRODUCTS

SI Number

| | | |
|------|---------|---|
| 1993 | No 1520 | THE EGG PRODUCTS REGULATIONS 1993 - implement Council Directive 89/437/EEC on hygiene and health problems affecting the production and placing on the market of egg products. The Regulations require that all egg products for human consumption be prepared in approved establishments, subject to certain exceptions. The Regulations make provisions for all egg products to be heat treated, and lay down hygiene and health requirements for the production and placing on the market of egg products. The Regulations are amended by: |
| 1995 | No 1763 | The Food Safety (General Food Hygiene) Regulations 1995 (in relation to potable water). |

***Note:** Enquiries on egg products legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238 6556/6461, fax 0171-238-6745).*

B: UNGRADED EGGS

SI Number

| | | |
|------|---------|--|
| 1990 | No 1323 | THE UNGRADED EGGS (HYGIENE) REGULATIONS, 1990 - prohibit the sale direct from the producer to the consumer of any egg which contains a crack visible to the naked eye without candling. The Regulations are amended by: |
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990. |

C: EGGS (MARKETING STANDARDS)

SI Number

| | | |
|------|---------|---|
| 1995 | No 1544 | THE EGGS (MARKETING STANDARDS) REGULATIONS 1995 - make provision, in Great Britain, for the enforcement and execution of specified regulations of the European Communities which relate to marketing standards for shell eggs and to the production and marketing of eggs for hatching and of farmyard poultry chicks. The Regulations also implement the public health conditions in relation to the sale of shell eggs and to the use of eggs in catering kitchens laid down in Council Decision 93/371/EC. Similar provisions exist in Northern Ireland. The Regulations are amended by: |
| 1996 | No 1725 | The Egg (Marketing Standards) (Amendment) Regulations 1996; |
| 1997 | No 1414 | The Egg (Marketing Standards) (Amendment) Regulations 1997; |

1998 No 1665 The Egg (Marketing Standards) (Amendment) Regulations 1998

***Note:** Enquiries on ungraded eggs and marketing standards for eggs legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Milk, Pigs, Eggs & Poultry Division, Branch C, Room 509, Whitehall Place (East Block), London SW1A 2HH. (Telephone (0171- 270-8491).*

D: POULTRY MEAT (MARKETING STANDARDS)

SI Number

1984 No 1145 **THE POULTRY MEAT (WATER CONTENT) REGULATIONS 1984** - provide for the enforcement in England and Wales of Council Directive 2967/76/EEC (as amended) laying down common standards for the water content of frozen and deep frozen chickens, hens and cocks. These Regulation are now obsolete as Directive 2967/76 was repealed by directly applicable EC Regulation 1538/91 (as amended) on certain marketing standards for poultrymeat. Regulation 1538/91 specifies standards relating to grading, condition of presentation, extraneous water content, weight classification and specific criteria which must be met before certain claims about types of farming can be made (e.g. the type of feed used and the method of rearing, whether indoor (barn reared) or free range).

***Note:** Enquiries on poultry meat marketing standards legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Milk, Pigs, Eggs & Poultry Division, Branch C, Room 509, Whitehall Place (East Block), London SW1A 2HH. (Telephone (0171- 270-8492).*

PART 6: OTHER LEGISLATION

A: ALCOHOLIC LIQUOR DUTIES ACT 1979 - Section 71

Prescribes a penalty for misdescribing liquor as spirits or as wine fortified with spirits. In practice, therefore, this Section reinforces Section 15 of the Food Safety Act 1990 as far as these products are concerned.

***Note:** All enquiries concerning Customs and Excise legislation should be addressed to HM Customs and Excise, New King's Beam House, 22 Upper Ground, London SE1 9PJ. (Telephone 0171-620-1311).*

B: BOVINE SPONGIFORM ENCEPHALOPATHY (BSE)

***NB** Not all the statutory instruments listed in this section make direct provisions for food safety, some for example lay down requirements for animal feedingstuffs. However, they have been included in this list for the sake of completeness.*

SI Number

| | |
|--------------|---|
| 1988 No 2264 | The Zoonoses Order 1988, made under the Animal Health Act 1981, came into force on 22 December 1988. The Order designated BSE as a zoonosis, enabling powers under the Act to be used to reduce any risk to human health from BSE. |
| 1994 No 2627 | The Bovine Spongiform Encephalopathy (Miscellaneous Amendments) Order 1994, made under the Animal Health Act 1981, came into force on 2 November 1994. It implemented Commission Decision 94/381/EC and Commission Decision 94/474/EC. The Order extended the ban on use of SBO's in animal feed, banning the use of mammalian protein in ruminant feedingstuffs and making notifiable laboratory suspicion of spongiform encephalopathies in species other than cattle, sheep and goats. |
| 1996 No 1125 | The Fertilisers (Mammalian Meat and Bone Meal) Regulations 1996, made under the Agriculture Act 1970, came into force on 19 April 1996. The Regulations prohibit the use of meat and bonemeal as, or in, fertiliser used on agricultural land. It is only permitted for use in private gardens, and within greenhouses and glass or plastic structures. These Regulations were subsequently amended by SI 1996/2473, which replaced the definition of mammalian meat and bone meal with that used in the Bovine Spongiform Order 1996 (SI 1996/2007). |
| 1996 No 1193 | The Bovine Animals (Enforcement of Community Purchase Scheme) Regulations 1996, made under the European Communities Act 1972, came into force on 1 May 1996. They make provision for the enforcement of certain new requirements of Commission Regulation 716/96. The new legislation creates offences in respect of breaches of the provisions of these Regulations and specifies the penalties involved. They apply to approved operators of incinerators or rendering plants, approved under the Specified Bovine Material (No. 2) Order 1996 and to licensed operators of slaughterhouses licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995, whose premises are designated under the terms of Commission Regulation 716/96. |

- *1996 No 2097 The Fresh Meat (Beef Controls) No. 2 Regulations 1996, made under the Food Safety Act 1990, came into force on 1 September 1996. The Regulations prohibit the sale for human consumption of meat from any bovine animal slaughtered after 28 March 1996 in which, at the time of slaughter, there were more than two permanent incisors erupted, unless it can be proved by reference to documentary evidence that the animal was no more than two years and six months old. The Regulations provide an exemption from this prohibition for meat from certain third countries and meat from eligible cattle from herds registered under the Beef Assurance Scheme. The Regulations also set out the operating rules of the Beef Assurance Scheme.
- 1996 No 2522 The Fresh Meat (Beef Controls) (No 2) (Amendment) Regulations 1996, made under the Food Safety Act 1990, came into force on 4 October 1996. The Regulations amend provisions on the Beef Assurance Scheme contained in the Fresh Meat (Beef Controls) (No 2) Regulations 1996. The Beef Assurance Scheme provisions on feed are amended to:
- i) allow herds which have used feed from any mills which have not had any mammalian meat and bonemeal on the premises in the previous four years to be eligible; and
 - ii) no longer restrict use of feed to specified sources.
- The Regulations also clarify that the feed requirements are concerned with mammalian meat and bonemeal.
- The Regulations also provide an exemption from the rule that the herd shall have been established for at least four years, where new herds are established entirely from animals in herds already registered under the Scheme.
- 1996 No 2458 The Bovine Spongiform Encephalopathy (Amendment) Order 1996, made under the Animal Health Act 1981 came into force on 24 September 1996. It introduces a revised definition for rendering, enables (provided certain conditions are met) the sale of mammalian meat and bone meal (MBM) products at premises where livestock feed is produced, and removes the record keeping requirements for retailers selling small packages (26 kg or less) of fertiliser containing MBM.
- 1996 No 3183 The Bovine Spongiform Encephalopathy (No. 2) Order 1996 revokes the BSE Order 1996. In making provision for the slaughter of animals exposed to BSE (the selective cull), it implements in part Article 2 of Commission Decision 96/385 (OJ No. L151, 26.6.96).
- 1996 No 3184 The Bovine Spongiform Encephalopathy Compensation Order 1996 revokes the BSE Compensation Order 1994 and the Compensation (Amendment) Order 1996 and introduces changes to existing BSE compensation arrangements including those for animals slaughtered under the selective cull.
- 1996 No 3186 The Selective Cull (Enforcement of Community Compensation Conditions) Regulations 1996 implement certain of the requirements of Commission Regulation No. 1484/96 (OJ No. L188, 27.7.96) adopting the exceptional support measures for the beef market in

the UK by application of Commission Decision 96/385 (OJ No. L151, 26.6.96).

- *1997 No 2959 The Beef Bones Regulations 1997 - made under the Food Safety Act 1990 came into force on 16 December 1997. The Regulations require all beef from animals aged over 6 months, whether home supplied or imported, to be deboned before it is sold to consumers; prohibit bone-in beef from such animals to be used to prepare food; prohibit bones removed from such animals in Great Britain from being sold for human consumption or to be used in the preparation of food; and require that such bones be disposed of in accordance with the Animal By-Products Order 1992.
- *1997 No 2964 The specified Risk Material Order 1997, made under the animal Health Act 1981, came into force on 1 January 1998. This legislation introduced controls on the import of Specified Risk Material (SRM) and certain food products and feedingstuffs containing SRM. Together with the Specified Risk Material Regulations 1997, it also remade and revoked, with some changes (in particular the extension of controls for sheep and goat SRM), the Specified Bovine Material Order 1997 and the Heads of Sheep and Goats Order 1996.
- *1997 No 2965 The Specified Risk Material Regulations 1997, made under the Food Safety Act 1990, came into force on 1 January 1998. This legislation extended GB domestic controls on the handling and permitted use of Specified Risk Material (SRM) from cattle, sheep and goats. In particular, it extended the existing controls on heads of sheep and goat SRM to include the removal of spleen of all sheep and goats and the spinal cord and tonsils of those over 12 months of age or with one or permanent incisors erupted through the gum. Together with the Specified Risk Material Order 1997, it remade and revoked the Specified Bovine Material Order 1997 and the Heads of Sheep and Goats Order 1996.
- *1997 No 3062 The Specified Risk Material (Amendment) Regulations 1997, made under the Food Safety Act 1990, came into force on 1 January 1998. This legislation amended the Specified Risk Material Regulations 1997 to make it clear that the requirement for spinal cord to be removed from sheep and goat carcasses aged over 12 month, does not apply to carcasses of animals slaughtered before 1 January 1998. It also clarified that the prohibition on the sale of food containing or derived from Specified Risk Material does not extend to those products not listed in the Specified Risk Material Order 1997.
- 1997 No 2387 The Bovine Spongiform Encephalopathy (Amendment) Order 1997 provides that slaughter notices under the selective cull may be served by inspectors of the Minister, as well as veterinary inspectors.
- 1997 No 2365 The Bovine Spongiform Encephalopathy Compensation (Amendment) Order 1997 makes a number of changes to the valuation arrangements under the selective cull.
- 1998 No 1135 The Bovines and Bovine Products (Trade) Regulations 1998 revoke and replace the Bovine and Bovines (Despatch Prohibition and Production Restriction) Regulations 1997. These Regulations implement fully in Great Britain the requirements of Commission Decision 98/256/EC, which replaced Commission Decision 96/239, on emergency measures to protect against BSE. They continue to

prohibit the despatch from GB to third countries and member States of bovine animals and embryos and meat and other products derived from bovine animals slaughtered in the UK. Together with the equivalent Regulations in Northern Ireland, they provide for a derogation from this ban for beef from Northern Ireland produced in accordance with the Export Certified Herds Scheme rules. They also make further provision in respect of controls on products and by-products produced from UK slaughtered bovines and regulate the consignment of bovine vertebral column to establishments registered under these regulations. Finally, they tighten the conditions for the export of meat and other products derived from bovines slaughtered outside the UK.

Revocations

The following Statutory Instruments have been revoked:

SI Number

| | | | |
|------|----|------|--|
| 1991 | No | 2246 | The Bovine Spongiform Encephalopathy Order 1991 |
| 1994 | No | 673 | The Bovine Spongiform Encephalopathy Compensation Order 1994 |
| 1996 | No | 961 | The Beef (Emergency Control) Order 1996 |
| 1996 | No | 962 | The Bovine Spongiform Encephalopathy (Amendment) Order 1996 |
| 1996 | No | 1043 | The Beef (Emergency Control) (Amendment) Order 1996 |
| 1996 | No | 1091 | The Beef (Emergency Control) (Amendment) (No2) Order 1996 |
| 1996 | No | 1166 | The Beef (Emergency Control) (Amendment) (No3) Order 1996 |
| 1996 | No | 1192 | The Specified Bovine Material (No2) Order 1996 |
| 1996 | No | 1941 | The Specified Bovine Material (No. 3) Order 1996 |
| 1996 | No | 2007 | The Bovine Spongiform Encephalopathy Order 1996 |
| 1996 | No | 2264 | The Heads of Sheep and Goats Order 1996 |
| 1996 | No | 2265 | The Bovine Products (Despatch to other Member States) Regulations 1996 |
| 1996 | No | 3185 | The Specified Bovine Material (No. 3) (Amendment) Order 1996 |
| 1996 | No | 3268 | The Specified Bovine Material (No. 3) (Amendment) (No2) Order 1996 |
| 1996 | No | 3000 | The Bovine Products (Despatch to other Member States) (Amendment) Regulations 1996 |
| 1996 | No | 1351 | The Bovine Spongiform Encephalopathy Compensation (Amendment) Order 1996 |
| 1997 | No | 389 | The Bovine Products (Production and Despatch) Regulations 1997 |
| 1997 | No | 617 | The Specified Bovine Material Order 1997 |

1997 No 1905 The Bovine and Bovine Products (Despatch Prohibition and Production Restriction) Regulations 1997

*Note: Enquiries on BSE legislation not marked with * should be addressed to the Ministry of Agriculture, Fisheries and Food, Animal Health (BSE and International Trade Division), Room 57/58, Block B Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF. (Telephone 0181-330-8779).*

*Enquiries on the Regulations marked with * should be addressed Meat Hygiene Division II, JFSSG, MAFF, 5th Floor, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171 238 5561 (SRM) or 0171 238 5757 (Beef Bones)).*

C: FEEDINGSTUFFS

THE AGRICULTURE ACT 1970 (as amended)

This is the primary legislation governing controls on feedingstuffs. One of its main requirements is that feedingstuffs when sold should be fit for their intended purpose and free from harmful ingredients. A statutory statement is required on the composition of the feed and other information. The following sets of Regulations are made under (Part IV) of the above Act and cover Great Britain (Northern Ireland has separate but parallel legislation).

SI Number

1995 No 1412 **THE FEEDING STUFFS REGULATIONS 1995** - implements the following main EC Directives:

Council Directive 70/524/EEC (OJ No. L270, 14.12.70) concerning additives in feedingstuffs;

Council Directive 74/63/EEC (OJ No. L38, 11.2.74) on undesirable substances and products in animal nutrition;

Council Directive 77/101/EEC (OJ No. L32, 3.2.77) on the marketing of straight feedingstuffs;

Council Directive 79/373/EEC (OJ No. L86 6.4.79) on the marketing of compound feedingstuffs;

Council Directive 80/511/EEC (OJ No. L125, 21.5.80) authorising in certain cases, the marketing of compound feedingstuffs in unsealed packages and containers;

Council Directive 82/471/EEC (OJ No. L213, 21.7.82) concerning certain products used in animal nutrition;

Council Directive 93/74/EEC (OJ No. L237, 22.9.93) on feedingstuffs intended for particular nutritional purposes.

These Regulations contain detailed provisions on the composition and labelling of feedingstuffs. They contain a list of additives and protein sources which are permitted for use in feeds and limits for undesirable substances.

The Regulations are amended by:

| | | |
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| 1996 | No 1260 | The Feeding Stuffs (Amendment) Regulations 1996; |
| 1998 | No 104 | The Feeding Stuffs (Amendment) Regulations 1998 |
| 1998 | No 2072 | The Feeding Stuffs (Amendment) (No. 2) Regulations 1998 |
| 1982 | No 1144 | The Feeding Stuffs (Sampling and Analysis) Regulations 1982 - implements the following Directives: |

Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs;
New methods and amendments to existing methods are introduced by Commission amending directives. The most recent of which are:

Commission Directive 93/28/EEC (OJ No. L179, 22.7.93);

Commission Directive 94/14/EEC (OJ No. L94, 13.4.94).

The Regulations set out methods for certain additives and feed constituents, such as protein, fibre and ash for the enforcement of the labelling provisions, and also methods for certain undesirable substances.

The Regulations are amended by:

| | | |
|------|---------|---|
| 1984 | No 52 | The Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations 1984; |
| 1985 | No 1119 | The Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations 1985; |
| 1994 | No 1610 | The Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations 1994. |
| 1998 | No 1049 | THE FEEDING STUFFS (ESTABLISHMENTS AND INTERMEDIARIES) REGULATIONS 1998 - implements the following Directives: |

Council Directive 95/69/EC, amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC, 82/471/EEC; and

Article 1:10 of Council Directive 96/51/EC amending Directive 70/524.

The Regulations lay down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector. The regulations apply to a wide range of establishments; those affected include manufacturers of certain feed additives, premixtures, compound feeds including these, and certain agricultural merchants and farmers who mix their own feed. The regulations also cover establishments incorporating materials with undesirable substances above specified levels. The system of registration and approvals is linked to quality standards and their implications for food safety.

The following Regulation has been made under the Medicines Act 1968:

1992 No. 1520 **The Medicines (Medicated Animal Feeding Stuff) (No. 2) Regulations 1992** - these Regulations implement Council Directive 90/167/EEC laying down the conditions covering the preparation, placing on the market and use of medicated feedingstuffs in the Community.

Note: Enquiries on feedingstuffs standards legislation should be addressed to Ministry of Agriculture, Fisheries and Food, JFSSG, Feeds and Fertilisers Branch, Room 224, Ergon House c/o Nobel House, 17 Smith Square, London, SW1P 3JR. (Telephone 0171-238-6340).

D: THIRD COUNTRY IMPORTS

(i) PRODUCTS OF ANIMAL ORIGIN: IMPORT AND EXPORT

SI Number

1996 No 3124 **THE PRODUCTS OF ANIMAL ORIGIN (IMPORT AND EXPORT) REGULATIONS 1996** - implement Council Directives: 89/662/EEC of 30 December 1989 (OJ No. L395) as amended concerning veterinary checks in intra-Community trade with a view to the completion of the internal market;

90/675/EEC of 31 December 1990 (OJ No. L373) as amended laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries

92/118/EEC of 15 March 1993 (OJ No. L62) as amended laying down animal and public and public requirements governing trade in and importing into the Community of products not covered by other vertical health Directives.

These Regulations give effect to the Community's checking regime for assuring that intra-Community trade in and imports from third countries of products of animal origin comply with harmonised EC or, in their absence national, animal and public health rules.

The Regulations also make provision for the minister of Agriculture, Fisheries and Food or the local authority to recover the cost of veterinary checks on import of animal origin from third countries. They also give force to the vertical health rules applying to intra-Community trade in, and imports from third countries, of so called "Balai" products.

(ii) IMPORTED FOOD

SI Number

1997 No 2537 **THE IMPORTED FOOD REGULATIONS 1997** - contain measures for the protection of public health in relation to food entering the Community from third countries and which is not subject to veterinary checks under the Products of Animal Origin (Import and Export) Regulations 1996, i.e. products which are not of animal

origin. They consolidate and replace provisions of the Imported Food Regulations 1984 (IFRs) taking into account the Food Safety Act 1990 and EC Single Market legislation. The 1984 IFRs have not been revoked; certain provisions relating to public health certification and health marking requirements for fresh meat (including poultry and game meat) and meat products, remain.

The Regulations cover England, Wales and Scotland; there are parallel Regulations in Northern Ireland.

| | | |
|------|---------|--|
| 1990 | No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1996 | No 3124 | The Products of Animal Origin (Import and Export) Regulations 1996; |
| 1996 | No 3125 | The Fresh Meat (Import Conditions) Regulations 1996 - implements the following main Directives: Council Directive 72/461/EEC of 31 December 1972 (OJ No. L302) as amended on health problems affecting intra-Community trade in fresh meat as amended; Council Directive 72/462/EEC of 31 December 1972 (OJ No. L302) as amended on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries as amended; Council Directive 94/59/EC of 8 December 1994 (OJ No. L315) which amends the Annexes to Council Directive 77/96 of 31 January 1977 (OJ No. L26) as amended on the examination for <i>Trichinae</i> upon importation from third countries of fresh meat derived from domestic swine. |

Note: Enquiries about the import of:

- products of animal origin should be addressed to the Ministry of Agriculture, Fisheries and Food, Animal Health (BSE and International Trade) Division, Block B, Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7AF (Telephone 0181-330-8365); and

- fishery products and shellfish for human consumption should be addressed to the Department of Health, JFSSG, Food Safety Policy Division, Room 501a, Skipton House, 80 London Road, London SE1 6LH. (Telephone 0171-972-5075 or fax 0171-972-5141/2).

- food which is not of animal origin entering the Community from third countries, or about the new Imported Food Regulations, should be addressed to the Department of Health, JFSSG, Food Safety Policy Division, Room 501a, Skipton House, 80 London Road, London SE1 6LH. (Telephone 0171-972-5070 or fax 0171-972-5141/2).

E: SALMONELLA IN POULTRY

SI Number

| | | |
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| 1989 | No 661 | THE PROCESSED ANIMAL PROTEIN ORDER 1989 - this Order requires the testing for salmonella of processed animal protein intended for incorporation into feedingstuffs for livestock. |
|------|--------|---|

Premises which process such material must be registered under the Order. The testing of samples must take place at laboratories authorised by MAFF.

- 1993 No 1898 **THE POULTRY BREEDING FLOCKS AND HATCHERIES ORDER 1993** - this Order requires the registration of poultry breeding flocks of 250 birds or more and hatcheries with incubator capacity of 1000 eggs or more. Samples must be taken from those premises and tested for salmonella at a laboratory authorised by MAFF. These Regulations implement in part EC Directive 92/117/EEC on Zoonoses (OJ No. L62/38, 15.3.93).
- 1989 No 285 **THE ZOONOSSES ORDER 1989** - this Order designates organisms of the genus salmonella and the genus brucella as zoonoses, enabling powers (including powers relating to the slaughter of poultry) under the Animal Health Act 1981 to be used to reduce any risk to human health of these organisms.

Note: *Enquiries on salmonella in poultry legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Animal Health (Disease Control), Room 21, Block B Government Buildings, Hook Rise South, Tolworth, Surbiton, Surrey KT6 7NF. (Telephone 0181 330 8007).*

PART 7: OTHER PRIMARY LEGISLATION PROVIDING REGULATIONS AFFECTING FOOD

A: EUROPEAN COMMUNITIES ACT, 1972

Section 2(2) of the European Communities Act makes provision for any designated Minister or department to make regulations for the purpose of implementing any European Community obligations of the United Kingdom.

The following Regulations have been made under this Act:

SI Number

1997 No 1729

THE ANIMALS AND ANIMAL PRODUCTS (EXAMINATION FOR RESIDUES AND MAXIMUM RESIDUE LIMITS REGULATIONS

1997 - these Regulations came into force on 11 August and implement two EC Directives. Council Directive 96/22/EC continues the existing ban on the use of hormonal growth promoters in food producing animals within the EC and extends it to beta-agonists under certain circumstances. Council Directive 96/23/EC harmonises, improves and extends the present controls on the surveillance of veterinary medicinal residues in meat.

In implementing these requirements, the Regulations revoke and re-enact provisions formerly contained in the Animals, Meat and Meat Products (Examination for Residues and Maximum Residue Limits) Regulations 1991, the Medicines (Stilbenes and Thyrostatic Substances) Regulations 1982, the Medicines (Hormone Growth Promoters) (Prohibition of Use) Regulations 1988 and the Animals and Fresh Meat (Hormonal Substances) Regulations 1988.

The Regulations:

- prohibit the sale, possession or administration to animals of specified unauthorised substances;
- prohibit the possession, slaughter or processing of the meat of animals intended for human consumption which contain, or which have been administered with, specified unauthorised substances;
- prohibit the sale or supply for slaughter of animals if the appropriate withdrawal period has not expired and prohibit the supply for slaughter or subject to exceptions, the sale of animals or the sale of animal products which contain unauthorised substances or an excess of authorised substances;
- prohibit, subject to exception, the disposal for human or animal consumption of slaughtered animals containing specified unauthorised substances;
- empower authorised officers to inspect and examine animals and to take samples and provide for the analysis of official samples;
- provide for offences and penalties and for enforcement by each enforcement authority;

- specify requirements relating to record keeping.

1997 No 2893 **THE CHARGES FOR INSPECTIONS AND CONTROLS REGULATIONS 1997** - these Regulations came into force on 1 January 1998 and give effect to Article 2 of Council Directive 85/73/EC on the financing of veterinary inspections and controls covered by Directives 89/662/EEC, 90/425/EEC, 90/675/EEC and 91/496/EEC. The text of Council Directive 85/73/EEC is set out in the Annex to Council Directive 96/43/EC.

In implementing these requirements, the Regulations revoke those provisions of the Meat (Hygiene, Inspection and Examinations for Residues) (Charges) Regulations 1995 (S.I. 1995/361, as amended) which relate to the subject-matter of these Regulations (regulation 6).

The Regulations:

- lay down the provisions requiring the fees to be paid to cover the costs of residues surveillance under 96/23/EC
- lay down the provisions relating to the liability for and recovery of those fees
- enable the appropriate Minister to require information and supporting evidence to be supplied to him for the purpose of enabling the Minister to calculate those fees and create offences of supplying false information or misleading information and failing to comply with a demand to supply information.

Note: Enquiries on the legislation listed in Part 7A should be addressed to the Veterinary Medicines Directorate, Woodham Lane, New Haw, Addlestone, Surrey KT15 3LS, (Telephone 01932-336911, Ext. 3044).

B: AGRICULTURE AND HORTICULTURE ACT 1964 (CHAPTER 28 PART III)

Provides for the application and enforcement in Great Britain of European Community Regulations specifying the grading, marketing and labelling requirements for certain fresh fruit and vegetables and makes certain acts or omissions that contravene those rules punishable offences. Similar legislation applies in Northern Ireland. The Act is amended by:

The Trade Description Act, 1968 - CHAPTER 29, and:

SI Number

| | | |
|------|------------|---|
| 1973 | No 22 | The Grading of Horticultural Produce (Amendment) Regulations 1973; |
| 1983 | No 1053 | The Grading of Horticultural Produce (Amendment) Regulations 1983; |
| 1986 | Chapter 20 | Horticultural Produce Act 1986 which extends the powers of the Horticultural Marketing Inspectorate (Marketing Officers in Scotland), who enforce the Regulations, to the control of the movement of produce. |

Note: Enquiries on the legislation listed in Part 7B should be addressed to the Ministry of Agriculture, Fisheries and Food, Horticulture and Potatoes Division,

Eastbury House, 30-34 Albert Embankment, London SE1 7TL. (Telephone 0171-238-1050).

PART 8: FOOD CONTROL

A: OFFICIAL CONTROL OF FOODSTUFFS

The Official Control of Foodstuffs Directive (89/397/EEC) was a key framework directive for the harmonisation of aspects of food law between EC member states. Adopted in 1989, it aimed to help establish the Single Market in Europe by achieving a consistent approach in the level of food law enforcement between EC member states in the run up to establishing the intended Single Market in 1992. The Directive did this by laying down the general principles to be followed by the national enforcement authorities of each EC member state. It established the main principles that:

- food should be inspected regularly at the point of production to avoid the need for border controls between member states;
- inspection procedures should be harmonised between member states;
- there should be mutual recognition of standards within the European Community; and
- details of member states' food law enforcement programmes should be submitted annually to the European Commission.

This Directive was implemented in the UK through the Food Safety Act 1990 and through statutory the Codes of Practice that guide UK enforcement authorities and which are made under that Act.

B: ADDITIONAL FOOD CONTROL MEASURES

The Official Control of Foodstuffs Directive was supplemented in October 1993 by the adoption of the Additional Food Control Measures Directive (93/99/EEC). This Directive continued the theme of harmonising food law enforcement between member states by:

- requiring that all member states have, or have access to, a sufficient number of qualified and experienced food control officials;
- setting standards for food control laboratories, and criteria for validating methods of analysis;
- establishing a small Commission Food Inspectorate;
- improving the exchange of information between member states and between the European Commission and member states.

Note: Enquiries relating to the legislation listed in Parts 8A & B should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Labelling and Standards Division, Branch B, Room 325b, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6762).

C: FOOD CONTROL OF IRRADIATION

SI Number

| | | |
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| 1990 | No 2490 | THE FOOD (CONTROL OF IRRADIATION) REGULATIONS 1990 - implement the control system through which applications to use the process shall be granted. The Regulations ensures the microbiological quality of food to be irradiated and empowers National Authorities to inspect premises and maintain satisfactory hygiene conditions. The Regulations also restricts imports of |
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irradiated food to overseas plants that match regulatory controls on domestic facilities.

Note: *Enquiries relating to the legislation listed in Part 8C should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Additives and Novel Foods Division, Room 239c, address as above. (Telephone 0171-238-6380).*

PART 9: FOOD PROTECTION IN AN EMERGENCY

A: THE FOOD AND ENVIRONMENT PROTECTION ACT 1985

Part I of the Act empowers Ministers to make emergency orders where they consider that circumstances exist, or may exist, which are likely to create a hazard to human health through the consumption of contaminated food. Such orders prohibit the distribution of affected produce from an area where foodstuffs have, or may have, been contaminated. In practice these powers are used only where there are no other statutory means of dealing with contaminated food (e.g. sector-specific legislation under the Food Safety Act 1990).

Part I of the Food and Environment Protection Act was amended by Section 51 of the Food Safety Act 1990. The Act also applies in Scotland and Northern Ireland.

B: RADIOACTIVE CONTAMINATION OF FOODSTUFFS AND FEEDING STUFFS

Fixes the maximum permitted levels for radioactive contamination of foodstuffs and feeding stuffs following a nuclear accident or radiological emergency made under Article 31 of the EC Treaty.

Council Regulation (Euratom) No. 3954/87

Subsequent Regulations relating to this Regulation are:-

Council Regulation (Euratom) No. 994/89

Council Regulation (Euratom) No. 2218/89

Council Regulation EEC No. 2219/89

Council Regulation No. 770/90

Relevant EC Directives: Directive 80/836 (Euratom) as amended by Directive 84/467 (Euratom) and Council Directive 96/29/Euratom

***Note:** Enquiries on the legislation listed in Parts 9A and B should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Radiological Safety and Nutrition Division, Room 504, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238 5380).*

C: RADIOACTIVITY IN FOODSTUFFS AND FEEDINGSTUFFS ORIGINATING FROM THIRD COUNTRIES

Fixes the maximum permitted levels for radioactivity in foodstuffs and feeding stuffs originating from third countries (following the accident at the Chernobyl Nuclear Power Station) made under Article 113 of the EC Treaty.

Council Regulation (EEC) No. 3955/87 Subsequent Regulations relating to this Regulation are:-

Council Regulation (EEC) No. 737/90

Council Regulation (EC) No. 686/95

Commission Regulation (EC) No. 727/97

Note: Enquiries on the legislation listed in Part 9C should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Radiological Safety and Nutrition Division, Room 528, Ergon House c/o Nobel House, London SW1P 3JR. (Telephone 0171- 238-6113).

PART 10: NOVEL FOODS/GENETICALLY MODIFIED ORGANISMS

A: NOVEL FOODS

SI Number

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|----------------|---------|--|
| 1997 | No 1335 | THE NOVEL FOODS AND NOVEL FOOD INGREDIENTS REGULATIONS 1997 - make provision for the enforcement of EU Council Regulation 258/97 (OJ L 43 of 14.2.97) and designate the Minister of Agriculture and the Secretary of State for Health as the competent food assessment body. The EC Regulation requires that before novel foods and novel food ingredients are placed on the market they are subjected to a pre-market safety assessment. |
| 1997 | No 1336 | THE NOVEL FOODS AND NOVEL FOOD INGREDIENTS (FEES) REGULATIONS 1997 - provide for charges for assessment of novel foods and novel food ingredients. |
| EC No 1139/98* | | Council Regulation concerning the compulsory indication of the labelling of certain foodstuffs produced from genetically modified organisms of particulars other than those provided for in Directive 79/112/EEC makes provisions for all foods containing ingredients produced from GM soya and GM maize (which were approved prior to the coming into force of the EU Novel Foods Regulation (258/97)) to be labelled except when protein nor DNA resulting from the modification is absent. (OJ L159 of 3.6.98) |

* Domestic Regulations to accompany the EC Regulation are expected to be made shortly.

Note: Enquiries on novel foods legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Additives and Novel Foods Division, Room 239c, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6380/6224; Fax 0171-238-6382)

B: GENETICALLY MODIFIED ORGANISMS (GMOs)

| | | |
|------|---------|--|
| 1992 | No 3280 | THE GENETICALLY MODIFIED ORGANISMS (DELIBERATE RELEASE) REGULATIONS 1992 - implement Council Regulation 90/220/EEC (OJ L117 of 8.5.90) on the deliberate release into the environment of GMOs. They provide the circumstances under which GMOs require consent for release into the environment and, in the case of placing on the market of crops, marketing consent. |
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The Regulations are amended by :

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|------|---------|--|
| 1993 | No 152 | The Genetically Modified Organisms (Deliberate Release) Regulations 1993 |
| 1995 | No 304 | The Genetically Modified Organisms (Deliberate Release) Regulations 1995 |
| 1996 | No 1106 | The Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations 1996 |

1997 No 1900 The Genetically Modified Organisms (Deliberate Release and Risk Assessment-Amendment) Regulations 1997

Note: Enquiries relating to the deliberate release genetically modified organism legislation should be addressed to the Department of Environment, Transport and the Regions, Biotechnology Unit, Floor 3/G9, Ashdown House, 123 Victoria Street, London SW1E 6OE. (Telephone 0171-890 5275/5277; fax 0171 890 5259).

1992 No 3217 THE GENETICALLY MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 1992 - implement Council Regulation 90/219/EEC (OJ L117 of 8.5.90) on the contained use of GMOs. They provide the circumstances under which GMOs require consent in conditions of contained use.

The Regulations are amended by:

1996 No 967 The Genetically Modified Organisms (Contained Use) Regulations 1996 (Amendment)

1998 No 1548 The Genetically Modified Organisms (Contained Use) (Amendment) Regulations 1998

Note: Enquiries relating to the contained use of genetically modified organism legislation should be addressed to the Health and Safety Executive, Biotechnology Policy, Room 6.19, Rose Court, Southwark Bridge, London, SE1 9HS. (Telephone 0171-717-6234; Fax 0171-717-6199).

PART 11: HYGIENE LEGISLATION

A: FISHERY PRODUCTS AND LIVE BIVALVE MOLLUSCS

SI Number

1998 No 994

THE FOOD SAFETY (FISHERY PRODUCTS AND LIVE SHELLFISH) (HYGIENE) REGULATIONS 1998 - These Regulations implement a number of EU Directives. They lay down the health conditions for the production and placing on the market of live bivalve molluscs as required by Council Directive 91/492/EEC (OJ No. L268, 24.9.91). They lay down the health conditions for the production and placing on the market of fishery products as required by Council Directive 91/493/EEC (OJ No. L268, 24.9.91) and implement Council Directive 95/71/EC (OJ No. L332, 30.12.95) which amends the Annex to Directive 91/493/EEC. They lay down the minimum hygiene rules applicable to fishery products caught on board fishing vessels as required by Council Directive 92/48/EEC (OJ No. L187, 7.7.92) in accordance with Article 3 (1) (a) (I) of Directive 91/493/EEC and implement paragraph 1, Section II, Chapter II of Annex A to Council Directive 96/43/EC (OJ No. L162, 1.7.96) on the charging for veterinary inspections and controls on live animals and certain animal products, including fishery products.

Council Directive 97/61/EC (OJ No L295, 29.10.97) amending the Annex to Directive 91/492/EEC laying down the health conditions for the production and placing on the market of live bivalve molluscs. Implementation of this Directive was required by 30 June 1998.

An outstanding requirement contained in Council Directive 96/43/EC (OJ L162), 1 July 1996), Chapter III, Section and Annex B point 1(b) relating to hygiene inspections of fishery products has to be implemented by 1 July 1999.

Note: Enquiries on fishery products legislation should be addressed to the Department of Health, JFSSG, Food Safety Policy Division, Room 501a, Skipton House, 80 London Road, London SE1 6LH. (Telephone 0171-972-5075) or to the Ministry of Agriculture, Fisheries & Food, Food Hygiene Division, Branch C, Room 429e, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone. 0171-238-5883).

B: FOOD HYGIENE (GENERAL)

EC Directive 93/43 on the hygiene of foodstuffs lays down general rules of hygiene and procedures for verification of compliance with these rules. The Directive covers the preparation, processing, manufacturing, packaging, storing, transportation, distribution, handling and offering for sale or supply of foodstuffs not covered elsewhere by product-specific hygiene Directives. It also covers gaps in the product-specific hygiene Directives. For example, few of these Directives cover the sale or supply of their foodstuffs, and where they do not then Directive 93/43 does. EC Directive 96/3/EEC grants a derogation from certain dedicated transport provisions of Directive 93/43 above, as regards the transport of bulk liquid oils and fats by sea.

SI Number

1982* No 1727

The Food (Revision of Penalties) Regulations 1982.

| | |
|--------------|--|
| 1985* No 67 | The Food (Revision of Penalties) Regulations 1985. |
| 1995 No 1763 | THE FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS 1995 - brings EC Directive 93/43 into UK law. It places obligations on food business proprietors to ensure their activities are carried out in a hygienic way. The Regulations also implement Council Directive 80/778/EEC on the quality of water for human consumption, where it relates to water used in food production. |
| 1995 No 2200 | THE FOOD SAFETY (TEMPERATURE CONTROL) REGULATIONS 1995 - requires food business proprietors to observe certain temperature controls on the holding of food, where otherwise there would be a risk to health. |
| 1997 No 2537 | THE IMPORTED FOOD REGULATION 1997, REGULATION 10, SCHEDULE 2 AMENDS THE GENERAL FOOD HYGIENE REGULATIONS 1995 - implements Commission Directive 96/3/EC which grants a derogation from certain provisions of Council Directive 93/43/EEC as regards the transport of bulk liquid oils and fats by sea. |

* See entry on penalties on page 3

Note: Enquiries on food hygiene legislation should be addressed to the Department of Health, JFSSG, Food Safety Policy Division, Room 501a, Skipton House, 80 London Road, London SE1 6LH. (Telephone (0171- 972-5071/5064) or to the Ministry of Agriculture, Fisheries and Food, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone (0171-238-6556/6461; fax 0171-238-6745).

C: ICE CREAM (HEAT TREATMENT)

SI Number

| | |
|---------------|---|
| 1959 No 734 | THE ICE-CREAM (HEAT TREATMENT, ETC) REGULATIONS 1959 - require ingredients used in the manufacture of non-dairy ice-cream to be pasteurised or sterilised, as specified, include temperature control provisions and prohibit the sale or offer for sale of ice-cream that has not been so treated. |
| | The Regulations are amended by: |
| 1962 No 1287 | The Food and Drugs (Legal Proceedings) Regulations 1962; |
| 1963 No 1083 | The Ice-Cream (Heat Treatment, etc) (Amendment) Regulations 1963; |
| 1982* No 1727 | The Food (Revision of Penalties) Regulations 1982; |
| 1985* No 67 | The Food (Revision of Penalties) Regulations 1985 (Category 2); |
| 1990 No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |
| 1995 No 1086 | The Dairy Products (Hygiene) Regulations 1995. |

For heat treatment requirements for dairy ice cream see Dairy Products (Hygiene) Regulations 1995 see pages 59 and 60.

Note: Enquiries about these Regulations should be addressed to the Department of Health, JFSSG, Food Safety Policy Division, Room 501a, Skipton House, 80 London Road, London SE1 6LH. (Telephone 0171-972-5070).

D: MEAT HYGIENE

(i). POULTRY MEAT, FARMED GAME BIRD MEAT & RABBIT MEAT

SI Number

| | |
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| 1995 No 540 | <p>THE POULTRY MEAT, FARMED GAME BIRD MEAT AND RABBIT MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995 - implement Council Directives:</p> <p>91/495/EEC of 27 November 1990 (OJ No. L268) (part) concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat;</p> <p>92/116/EEC of 17 December 1992 (OJ No. L62) amending and updating Directive 71/118/EEC of 15 February 1971 (OJ No. L55) on health problems affecting trade in fresh poultry meat.</p> <p>These Regulations apply to poultry meat derived from domestic fowls, turkeys, guinea fowls, ducks and geese, farmed game bird meat derived from quail, pheasants, partridges, ostriches etc. and farmed rabbit meat. They prescribe the conditions which must be satisfied for the production, cutting up and storage of such meat intended for sale for human consumption. The Regulations have transferred enforcement responsibility from local authorities to Agriculture Ministers acting through the Meat Hygiene Service (MHS).</p> <p>The Regulations are amended by:</p> |
| 1995 No 2148 | The Wild Game Meat (Hygiene and Inspection) Regulations 1995; |
| 1995 No 3205 | The Minced Meat and Meat Preparations (Hygiene) Regulations 1995 |
| 1995 No 1763 | The Food Safety (General Food Hygiene) Regulations 1995 |

(ii). FRESH RED MEAT

SI Number

| | |
|-------------|---|
| 1995 No 539 | <p>THE FRESH MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995 - implement Council Directives:</p> <p>91/497/EEC of 29 July 1991 (OJ No. L268) laying down health conditions for the production and the placing on the market of fresh meat;</p> <p>91/495/EEC (part) of 27 November 1990 (OJ No. L268) concerning public health and animal health problems affecting the production and placing on the market of farmed game meat.</p> |
|-------------|---|

The Regulations give effect to the EC Directive covering public health and animal health problems affecting the production and marketing of fresh meat and large farmed game. They cover all red meat premises involved in the production of red meat intended to be sold for human consumption. The Regulations have transferred enforcement responsibility from local authorities to Agriculture Ministers acting through the Meat Hygiene Service (MHS).

The Regulations are amended by:

- | | |
|--------------|---|
| 1995 No 731 | The Welfare of Animals (Slaughter or Killing) Regulations 1995; |
| 1995 No 1763 | The Food Safety (General Food Hygiene) Regulations 1995; |
| 1995 No 2148 | The Wild Game Meat (Hygiene and Inspection) Regulations 1995; |
| 1995 No 3124 | The Colours in Food Regulations 1995; |
| 1995 No 3189 | The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1995 implement: |
| | - changes to Directive 91/497/EEC made by Directive 95/23/EEC of 22 June 1995 (OJ No. L243); |
| | - Council Decision 95/409/EC (part) of 22 June 1995 (OJ No. L243) laying down rules for the microbiological testing by sampling of fresh beef and veal and pigmeat intended for Sweden and Finland; |
| | - Commission Decision 95/287/EC (part) of 18 July 1995 (OJ No. L181) concerning certain protection measures relating to BSE. |
| 1996 No 1148 | The Fresh Meat Hygiene and Inspection (Amendment) Regulations 1996 - extend the provision allowing the slaughter in licensed premises of animals not intended for human consumption to allow the slaughter of animal pursuant to, and in accordance with, a slaughter scheme introduced by or under Council Regulation (EEC) No 805/68; |
| 1996 No 2235 | The Deregulation (Slaughterhouses Act 1974 and Slaughter of animals (Scotland) Act 1980) Order 1996 |
| 1997 No 2074 | The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1997 - removes the provision from the principal Regulations for the Slaughter of "private kills" animals i.e. animals slaughtered for the owners personal consumption. This ensures that all red meat animals killed in approved slaughterhouses for human consumption are treated as if they were intended for sale and therefore, subject to the full inspection and health marking requirements. |

(iii). WILD GAME MEAT

SI Number

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|--------------|---|
| 1995 No 2148 | THE WILD GAME MEAT (HYGIENE AND INSPECTION) REGULATIONS 1995 - implement (in part) Council Directive 92/45/EEC of 16 June 1992 (OJ No. L268) on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat. |
|--------------|---|

The Regulations lay down the requirements to be met for the production of wild game meat for human consumption which is intended for consignment, or sale for consignment, to another EEA State. They require all such meat to be processed in a licensed premises and prescribe the conditions which must be satisfied for the processing and storage of such meat. Enforcement responsibilities lie with Agriculture Ministers acting through the Meat Hygiene Service (MHS).

The Regulations are amended by:

1995 No 3205 The Minced Meat and Meat Preparations (Hygiene) Regulations 1995.

(iv). INSPECTION CHARGES

SI Number

1998 No 2095 **THE FRESH MEAT (HYGIENE AND INSPECTION) (CHARGES) REGULATIONS 1998** - implement the provisions relating to charges for meat hygiene inspections contained in Council Directive 85/73/EEC of 29 January 1985 (OJ No. L32) on the financing of veterinary inspections and controls of which a consolidated text is annexed to Council Directive 96/43/EC (OJ No L162, 1.7.96).

The Regulations provide for charges for the purposes of the Fresh Meat (Hygiene and Inspection) Regulations 1995, the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 and the Wild Game Meat (Hygiene and Inspection) Regulations 1995.

The charges encompass any monitoring of the welfare of animals slaughtered for human consumption in slaughterhouses carried out under the welfare of Animals (Slaughter or Killing) Regulations 1995.

(v). ANIMAL BY-PRODUCTS

SI Number

1995 No 614 **THE ANIMAL BY-PRODUCTS (IDENTIFICATION) REGULATIONS 1995** - require the immediate sterilisation and staining, at a slaughterhouse, game processing facility or any animal by products premises of any carcase (excluding poultry) which is not intended for direct human consumption and therefore defined as an animal by-product. Also make various provisions restricting the freezing, storage and movement of animal by-products.

These Regulations are amended by:

1997 No 2073 The Animal By-Products (Identification) (Amendment) Regulations 1997 - adds to the definition of animal by-product to include carcasses or parts of carcasses of bovine animals which were slaughtered for human consumption but subsequently found to be over two years and six months at the time of slaughter (excluding those slaughtered under a scheme which allowed for the slaughter of older bovines).

(vi). MEAT PRODUCTS AND OTHER PRODUCTS OF ANIMAL ORIGINSI Number

1994 No 3082 **THE MEAT PRODUCTS (HYGIENE) REGULATIONS 1994** - implement Council Directive 92/5/EEC of 10 February 1992 (OJ No. L57) concerning public health problems affecting the production and placing on the market of meat products and certain other products of animal origin.

The Regulations apply to meat products, meat based prepared meals, meat products in hermetically sealed containers and certain other products of animal origin intended for human consumption e.g. melted animal fats, greaves, meat powders, stomachs, bladders and intestines (tripe, natural sausage casings). They prescribe the conditions which must be satisfied for the manufacture, storage and distribution of meat products intended for sale for human consumption and the first stage processing (rendering or processing from raw materials) of other products of animal origin.

These Regulations are amended by:

1995 No 1763 The Food Safety (General Food Hygiene) Regulations 1995
Council Directives 95/68/EC of 22 December 1995 (OJ No L332) and 97/76/EC of 16 December 1997 (OJ No L10) amend Council Directive 92/5/EEC. Regulations to implement Directive 95/68 will be made in due course.

(vii). MINCED MEAT AND MEAT PREPARATIONSSI Number

1995 No 3205 **THE MINCED MEAT AND MEAT PREPARATIONS (HYGIENE) REGULATIONS 1995** - implement Council Directive 94/65/EC of 14 December 1994 (OJ No. L368) concerning public health aspects affecting the production and placing on the market of minced meat and meat preparations.

The Regulations apply to the production of minced meat and meat preparations intended for human consumption. They take account of the different ways in which minced meat is prepared and consumed in different EC Member States and set separate standards for mince and meat preparations intended for the national market. Meat Preparations include beefburgers, chicken kiev, seasoned steaks and the traditional British sausage.

Note: Enquiries on meat hygiene legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Meat Hygiene Division, Room 517, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-5578/6494).

E: MILK AND MILK PRODUCTSSI Number

1995 No 1086 **THE DAIRY PRODUCTS (HYGIENE) REGULATIONS 1995** - as amended implement Council Directive 92/46/EEC of 16 June 1992

(OJ No. L268/1 14/9/92) amended by Directive 92/118 (OJ No. L062, 15/3/93), 94/71(OJ No. L368, 31/12/94) and 96/23 (OJ No. L125, 23/05/96) and Commission Decision 94/330 (OJ No. L146, 11/06/94) laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products from cows, goats, ewes and buffaloes.

The Regulations are amended by:

| | |
|--------------|---|
| 1995 No 1763 | The Food Safety (General Food Hygiene) Regulations 1995 |
| 1996 No 1499 | The Food Labelling Regulations 1996 |
| 1996 No 1699 | The Dairy Product (Hygiene) (Amendment) Regulations 1996 |
| 1997 No 1729 | The Animals and Animal Products (Examination for Residues and Maximum Residues Limits) Regulations 1997 |

The Regulations provide for:

- registration of dairy farm premises and approval of dairy establishments (e.g. milk processors) subject to compliance with specified hygiene requirements;
- conditions for the heat treatment of milk, cream and dairy ice-cream#;
- microbiological standards, handling, storage, transport, wrapping, packaging, health marking and labelling requirements ✧ for dairy products;
- restrictions on sales of raw cows drinking milk;
- derogations for low capacity dairy establishments and for certain cheeses and "traditional" milk based products;
- import requirements.

For heat treatment requirements for non dairy ice cream see *Ice Cream (Heat Treatment) Regulations 1959* on pages 54 and 55.

✧ For labelling requirements at retail level see *Food Labelling Regulations 1996* page 7 onwards.

* New Regulations are forthcoming which will implement EC rules on third country imports.

For compositional standards of certain dairy products see page 11 onwards.

HEAT TREATMENT ORDERS - COWS MILK

SI Number

| | |
|--------------|---|
| 1959- No 27 | <p>THE MILK AND DAIRIES (GENERAL) REGULATIONS 1959 (Parts I and VII)⁺ - specify the rules under which Local Authorities can issue heat treatment orders for infected milk.</p> <p>The Regulations are amended by:</p> |
| 1990 No 2486 | The Food Safety Act 1990 (Consequential Modifications) (England and Wales) Order 1990; |

1992 No 3143 The Milk and Dairies (Standardisation and Importation) Regulations 1992.

+ Other parts of these Regulations were revoked by the Dairy Products (Hygiene) Regulations 1995

CHARGES

SI Number

1995 No 1122 THE DAIRY PRODUCTS (HYGIENE) (CHARGES) REGULATIONS 1995 - provide for charges for the purposes of the Dairy Products (Hygiene) Regulations 1995 (for inspection and sampling visits made to dairy farms by ADAS on behalf of the Minister).

Note: Enquiries on milk and milk products hygiene legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, JFSSG, Food Hygiene Division, Branch B, Room 429a, Ergon House c/o Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6368; fax 0171-238-6745).

PART 12: MARKETING STANDARDS - DESCRIPTIONS & DESIGNATIONS

A: EGGS - MARKETING STANDARDS - SEE SECTION 5C

B: FRESH FRUIT AND VEGETABLES MARKETING STANDARDS - SEE SECTION 7B

C: OLIVE OIL

SI Number

1987 No 1783 **THE OLIVE OIL (MARKETING STANDARDS) REGULATIONS 1987, as amended by:**

1990 No 2487 The Food Safety Act 1990 (Consequential Modifications) (No 2) (Great Britain) Order 1990;

1992 No 2590 The Olive Oil (Marketing Standards) (Amendment) Regulations 1992.

These regulations enforce the marketing standards for olive oil laid down in Articles 35 and 35a and the Annex to of EEC Council Regulation 136/66 of 22 September 1966 (OJ No L172, 30.9.66) as amended by Council Regulation (EEC) 1915/87 of 2 July 1987 (OJ No L183, 3.7.87) and (EEC) 356/92 of 10 February 1992 (OJ No L39, 15.2.92). This makes the use of prescribed descriptions and definitions of olive oils and olive-pomace oils compulsory for the purposes of trade and prohibits the marketing by retail of certain categories of such oil.

***Note:** Enquiries on olive oil legislation should be addressed to the Ministry of Agriculture Fisheries and Food, Sugar, Tobacco, Oilseeds and Proteins Division, Branch B, Room 404, Whitehall Place East, London SW1A 2HH. (Telephone 0171-270-8138).*

D: ORGANIC FOOD

SI Number

1992 No 2111 **THE ORGANIC PRODUCTS REGULATIONS, 1992** - implement Council Regulation (EEC) 2092/91 of 24 June 1991 and set rules for the production of food to be sold as "organic". It is illegal to use the description "organic", in relation to food, unless it has been produced in accordance with the Regulation and by a registered producer. In the UK, producers must be registered either directly with the Register of Organic Food Standards (UKROFS), the designated authority to enforce Council Regulation 2092/91 in the UK, or with one of the six organic sector bodies which are themselves registered with UKROFS. Those involved in the preparation of organic food or in importing from countries outside the EC, must also be registered. All registered operators are subject to inspection from their sector bodies and from UKROFS to check the application of organic standards.

The Regulations are amended by:

| | | |
|------|---------|--|
| 1993 | No 495 | The Organic Products (Amendment) Regulations 1993; |
| 1994 | No 2286 | The Organic Products (Amendment) Regulations 1994; |
| 1997 | No 166 | The Organic Products (Amendment) Regulations 1997. |

Note: *Enquiries on organic food legislation and amendments to the EC Regulation with Official Journal reference numbers, should be addressed to the Ministry of Agriculture, Fisheries and Food, Organic Farming Unit - CARD 'C', Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-6348).*

E: PRESERVED FISH PRODUCTS

SI Number

| | | |
|------|---------|--|
| 1990 | No 1084 | Preserved Sardines (Marketing Standards) Regulations 1990 |
| 1994 | No 2127 | Preserved Tuna and Bonito (Marketing Standards) Regulations 1994 |

The Regulations enforce the provisions of Community Regulations 2136/89 and 1536/92 respectively, by creating offences and penalties. The Community Regulations establish common marketing standards in the EU for the products concerned, with a view to improving quality and facilitating trade on fair terms. The standards are enforced in the UK by Trading Standards Officers.

Note: *Enquiries on preserved fish products legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Fisheries Division I, Nobel House, 17 Smith Square, London SW1P 3JR. (Telephone 0171-238-5884).*

F: PROTECTION OF FOOD NAMES

A package of European legislation came into force in 1993 which provides for a system of the protection of food names on a geographical or traditional recipe basis. Under these Regulations a named food or drink registered at a European level will be given protection throughout the European Union.

Council Regulation (EEC) No 2081/92 (OJ L 208 of 1992) on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

Protected Designation of Origin (PDO) is open to products produced, processed and prepared within a particular geographical area, and with features and characteristics which must be due to the geographical area. The methods used to produce the product must be unique in that area.

Protected Geographical Indication (PGI) is open to products which must be produced or processed or prepared within a geographical area and have a reputation, features or certain qualities attributable to that area.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 2037/93 (OJ L 185 of 1993)

Council Regulation (EEC) No 2082/92 (OJ L 208 of 1992) on certificates of specific character for agriculture products and foodstuffs.

Open to products which are traditional or have customary names and have a set of features which distinguish them from other similar products. These features must not be due to the geographical area the product is produced or nor entirely based on technical advances in the method of production.

Subsequent regulation laying down detailed implementation rules:

Commission Regulation (EEC) No 1848/93 (OJ L 168 of 1993)

Note: *Enquiries on protection of food names Regulations should be addressed to the Ministry of Agriculture, Fisheries and Food, International Relations and Export Promotion Division, Branch D, Room 318, Whitehall Place, (West Block), London SW1A 2HH. (Telephone 0171-270-8170).*

G: SPIRIT DRINKS

The Scotch Whisky Act 1988 - makes provision as to the definition of Scotch Whisky and production and sale of whisky.

SI Number

- | | |
|-------------|---|
| 1990 No 997 | THE SCOTCH WHISKY ACT 1988 (COMMENCEMENT AND TRANSITIONAL PROVISIONS) ORDER 1990 - brings the Act into force; |
| 1990 No 998 | THE SCOTCH WHISKY ORDER 1990 - clarify production rules for Scotch Whisky and specify a 40% minimum alcoholic strength. |

The EC Spirit Drinks Regulation 1576/89 (Official Journal L160 of 1989). This Council Regulation lays down the general rules on the definition, description and presentation of spirit drinks produced in, imported into or exported from the Community.

Subsequent Regulations relating to this regulation are as follows:

- Commission Regulation 3773/89 (OJ L365 of 1989)
- Commission Regulation 1014/90 (OJ L105 of 1990)
- Commission Regulation 1759/90 (OJ L162 of 1990)
- Commission Regulation 3207/90 (OJ L307 of 1990)
- Commission Regulation 3750/90 (OJ L360 of 1990)
- Commission Regulation 1180/91 (OJ L115 of 1991)
- Commission Regulation 1781/91 (OJ L160 of 1991)
- Council Regulation 3280/92 (OJ L327 of 1992)
- Commission Regulation 3458/92 (OJ L350 of 1992)
- Commission Regulation 2675/94 (OJ L285 of 1994)
- Commission Regulation 3378/94 (OJ L366 of 1994)

Commission Regulation 2626/95 (OJ L269 of 1995)

Commission Regulation 2482/95 (OJ L256 of 1995)

Commission Regulation 1712/95 (OJ L163 of 1995)

Commission Regulation 2523/97 (OJ L346 of 1997)

Commission Regulation 2140/98 (OJ L270 of 1998).

SI Number

1990 No 1179 The Spirit Drinks Regulations 1990 - provide for the enforcement of and are made under the EC Spirit Drinks Regulation 1576/89 in England and Wales (see above).

1995 No 732 The Spirit Drinks (Amendment) Regulations 1995.

Note: Enquiries on spirit drinks legislation should be addressed to the Ministry of Agriculture, Fisheries and Food, Food and Drink Industry, Branch D, Room 201, Whitehall Place (East Block), London SW1A 2HH. (Telephone 0171-270-8899 or 0171-270-8930).

H: OTHER LEGISLATION

The Trade Descriptions Act 1968 makes it an offence for a person acting in the course of a trade or business to make false or misleading statements about goods, or knowingly or recklessly to make false or misleading statements about services, accommodation or facilities. It contains Order making powers to require that goods bear or be accompanied by specific information in the course of their supply, and to define terms for the purposes of the Act. The Act prohibits the unauthorised use of devices or emblems signifying Royal approval or award.

Note: Enquiries concerning trade descriptions legislation should be addressed to the Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, Room 4.G.23, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0329).

The Consumer Protection Act 1987 (Part III) makes it an offence for a consumer to be given a misleading indication, by any means, of the price at which goods, services, accommodation or facilities are available. Guidance on how the requirements of Part III might be met is contained in The Code of Practice for Traders on Price Indications, available from the address below. The Act also contains powers to regulate specific price indications practices.

THE PRICES ACT 1974

The Price Indications (Food and Drink on Premises) Order 1979, made under the Prices Act 1974, requires prices to be displayed on any premises where food and drink is or may be for sale for consumption by the public. The Order contains provisions on the number of prices to be shown, the inclusion of VAT and the circumstances under which the requirements differ, for example, whether the food or drink is supplied by self-service or not.

1991 No 1382 THE PRICE MARKING ORDER 1991;

1991 No 1690 The Price Marking (Amendment) Order 1991;

1994 No 1853 The Price Marking (Amendment) Order 1994;

1995 No 1441 The Price Marking (Amendment) Order 1995;

The Price Marking Order 1991 implements the provisions of Council Directives 79/581/EEC as amended by 88/315/EEC and 95/58/EC in respect of foodstuffs. The Order requires the selling price and in certain circumstances, the unit price to be shown.

A new Price Indications Directive (98/6/EC) was agreed in February 1998. This requires most goods to be unit priced as well as price marked. UK implementing legislation must be in place by March 2000.

Note: All enquiries concerning price indications legislation should be addressed to the Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, Room 4.H.18, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0333).

PART 13: WEIGHTS AND MEASURES LEGISLATION

THE WEIGHTS AND MEASURES ACT 1985

Section 28 of the 1985 Act makes short weight an offence. Orders made under Section 22 require most pre-packed food to carry on the container an indication of the net quantity of the contents. When sold other than pre-packed, most food is required to be sold either by quantity or by number. The seller has to make the quantity known to the purchaser. Orders made under the Act limit the quantities in which certain goods may be pre-packed when offered for retail sale (prescribed quantities).

Part V of the 1985 Act provides for the "average" system of quantity control for pre-packed goods sold by weight or volume.

The average system is designed primarily for application at the point of production or importation and requires the packer or importer to ensure that the packages will pass an Inspector's reference test.

The Act is amended by the Weights and Measures Act 1985, (Metrication) (Amendment) Order 1994 and the Units of Measurement Regulations 1994.

SI Number

| | | |
|------|---------|---|
| 1986 | No 2049 | THE WEIGHTS AND MEASURES (PACKAGED GOODS) REGULATIONS 1986 - provide for the detailed application of the average system. The Regulations are amended by: |
| 1992 | No 1580 | The Weights and Measures (Packaged Goods) (Amendment) Regulations 1992; |
| 1994 | No 1258 | The Weights & Measures (packaged Goods) (Amendment) Regulations 1994; |
| 1994 | No 1852 | The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994. These Regulations implement EC Directive 75/106/EEC as amended by Directives 78/891/EEC and 79/005/EEC on the making up by volume of certain pre-packaged liquids and EC Directive 76/211/EEC as amended by 78/891/EEC on the making up by weight or volume of certain pre-packed products where they relate to the average system. |
| 1987 | No 1538 | THE WEIGHTS AND MEASURES (QUANTITY MARKING AND ABBREVIATIONS OF UNITS) REGULATIONS 1987 - prescribe the units of measurement to be used for quantity marking, the manner of marking and the permitted symbols and abbreviations. The Regulations are amended by: |
| 1988 | No 627 | The Weights and Measures (Quantity Marking and Abbreviations of Units) (Amendment) Regulations 1988; |
| 1994 | No 1852 | The Weights and Measures (Packaged Goods and Quantity Marking and Abbreviation of Units) (Amendment) Regulations 1994. |

1986 No 1082 THE UNITS OF MEASUREMENT REGULATIONS 1986 - define and authorise the use of SI units of measurements for economic, health, safety and administrative purposes and provide that certain imperial and other units are no longer authorised for the same purposes.

The Regulations are amended by:

1994 No 2867 The Units of Measurement Regulations 1994.

These Regulations implement the Units of Measurement Directive 80/181/EEC as amended by Directives 85/10/EEC and 89/617/EEC.

Note: Enquiries concerning weights and measures legislation (i.e. prescribed quantity legislation, packaged goods regulations, drained weight, marking of goods and sales of loose goods (including draught beer and wine by the glass) and Metrication should be addressed to the Consumer Affairs and Competition Policy Directorate, Department of Trade and Industry, Room 4.G.17, 1 Victoria Street, London SW1H 0ET. (Telephone 0171-215-0334).

Enquiries concerning the units of measurement legislation should be addressed to the National Weights and Measures Laboratory, Stanton Avenue, Teddington, Middlesex, TW11 0JZ. (Telephone 0181-943-7272 or 7277).

